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Mary F. Parker
City Clerk



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***JULY 2, 2001
12:15 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call.

A communication from Mayor Ralph K. Smith requesting that Council convene in Closed Session to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia, (1950), as amended.

A communication from Council Member C. Nelson Harris, Chair, City Council Personnel Committee, requesting that Council convene in Closed Session to discuss the performance of a Council-Appointed Officer, and compensation for Council-Appointed Officers, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.

A communication from Council Member C. Nelson Harris, Chair, City Council Personnel Committee, requesting that Council convene in Closed Session to discuss appointment of a new Municipal Auditor, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.

CERTIFICATION OF CLOSED SESSION.

THE MEETING OF ROANOKE CITY COUNCIL WILL BE DECLARED IN RECESS TO BE RECONVENED AT 2:00 P.M., IN THE CITY COUNCIL CHAMBER.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***JULY 2, 2001
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call.

The Invocation will be delivered by Frances S. Stebbins, Christian Educator, St. Paul's Episcopal Church.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, July 5, 2001, at 7:00 p.m., and Saturday, July 7, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT www.roanokegov.com, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

PRESENTATIONS:

A RESOLUTION memorializing the late Lewis Gregory Leftwich, former Building Commissioner for the City of Roanoke.

PUBLIC HEARINGS:

Public hearing with regard to a proposal of the City of Roanoke to convey City-owned property located at 506 Church Avenue, S. W., and the adjoining lot, bearing Official Tax Nos. 1113419 and 1113418, to the YMCA of Roanoke Valley, Inc., upon certain terms and conditions. Darlene L. Burcham, City Manager, Spokesperson.

2.

CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meetings of Council held on Monday, October 16, 2000, and Monday, June 18, 2001.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 Qualification of the following persons:

Melinda J. Payne and Ruth C. Willson as Trustees of the Roanoke City School Board for terms commencing July 1, 2001 and ending June 30, 2004;

Frank W. Feather as a member of the Fair Housing Board for a term ending March 31, 2004;

David A. Morgan for a term ending October 31, 2004, and Kenneth King, Jr., for a term ending October 31, 2002, as members of the City of Roanoke Transportation Safety Commission.

RECOMMENDED ACTION: Receive and file

- C-3 A communication from the City Manager recommending that she be authorized to file an application with the City Planning Commission to request that property located on Colonial Avenue, S. W., be rezoned from RS-2, Single Family Residential District, to C-1, Office District.

RECOMMENDED ACTION: Concur in the recommendation to refer the matter to the City Planning Commission for study, report and recommendation to Council.

REGULAR AGENDA

3. HEARING OF CITIZENS UPON PUBLIC MATTERS:

- a. Request to discuss a matter regarding curbside collection of refuse on City streets in residential areas where alleys are available. John H. Kennett, Jr., Spokesperson.

4. PETITIONS AND COMMUNICATIONS:

- a. A communication from the Roanoke City School Board requesting approval of a State Literary Fund Loan application for the Roanoke Academy for Mathematics and Science project.

5. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending transfer of funds to other City departments for payment of tipping fees incurred by said departments.
2. A communication in connection with appropriation of funds for staff support and contract for services for Regional Disability Services Board Grant funding.
3. A communication in connection with an agreement with Harmony Information Systems, Inc., for a CSA computer based network and appropriation of \$100,000.00 in connection therewith.
4. A communication in connection with a budget amendment to include Arena Ventures revenue and expenses, and authorization for five new positions in the Civic Facilities Fund.
5. A communication in connection with appropriation of \$1,327,629.00 to the Fifth District Employment and Training Consortium.
6. A communication in connection with acceptance of the 2001-02 Community Development Block Grant Program.
7. A communication in connection with the Downtown Service District Services Agreement.
8. A communication in connection with leasing a 15 passenger van from Dominion Dodge for eight weeks at \$100.00 per week.
9. A communication in connection with Amendment No. 2 to agreements with Hayes, Seay, Mattern & Mattern, Inc., and Mattern and Craig, Inc., in connection with the Bridge Inspection Program.

b. **DIRECTOR OF FINANCE:**

1. A report recommending approval of transfer of storm drain funding between 1992, 1996, and 1999 bond issues.
2. A financial report for the month of May, 2001.

6. REPORTS OF COMMITTEES: NONE.

7. UNFINISHED BUSINESS: NONE.

8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Ordinance No. 35406, on second reading, appropriating fiscal year 2001-02 funds for the Community Development Block Grant program from the United States Department of Housing and Urban Development.
- b. Ordinance No. 35431, on second reading, vacating, discontinuing and closing a certain public alley extending between Richelieu and Crystal Springs Avenues, S. W.
- c. Ordinance No. 35432, on second reading, vacating, discontinuing and closing an alley extending between Shenandoah and Centre Avenues, N. W., Official Tax No. 2013606.
- d. Ordinance No. 35433, on second reading, rezoning a tract of land located at Melrose Avenue and 24th Street, N. W., Official Tax No. 2420205, from C-2, General Commercial District, to IPUD, Industrial Planned Unit Development District.

- e. Ordinance No. 35435, on second reading, providing for the conveyance of two tracts of City-owned property located at the Roanoke Centre for Industry and Technology to Blue Hills Golf Corporation and Anderson Wade Douthat, et al.
- f. Ordinance No. 35436, on second reading, permanently vacating, discontinuing and closing a certain alley which crosses Official Tax No. 4010213, between Norfolk Avenue, and Official Tax No. 4010209.
- g. A resolution establishing a meeting schedule for City Council for the fiscal year commencing July 1, 2001 and terminating June 30, 2002.
- h. A resolution providing that the regular meeting of City Council scheduled to be held at 2:00 p.m. and 7:00 p.m., on Monday, October 15, 2001, shall be held at 2:00 p.m. and 7:00 p.m., on Thursday, October 18, 2001.

9. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.
- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED, WITHOUT OBJECTION, IMMEDIATELY, FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

THE MEETING OF ROANOKE CITY COUNCIL WILL BE DECLARED IN RECESS TO BE RECONVENED ON THURSDAY, JULY 12, 2001, AT 12:00 NOON, FOR THE THIRD LEADERSHIP SUMMIT ON THE VIRGINIA DARE CRUISE SHIP, AIRPORT ROAD, MONETA, VIRGINIA.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION memorializing the late Lewis Gregory Leftwich of Bedford County, Virginia.

WHEREAS, the members of Council learned with sorrow of the passing of Mr. Leftwich on Monday, June 11, 2001; and

WHEREAS, Mr. Leftwich enlisted in the Navy SeaBees in 1942, served his country in the Aleutian Islands and Guam, and was discharged in 1945 as a Chief Petty Officer; and

WHEREAS, Mr. Leftwich worked for the Federal Housing Administration from 1945 to 1954; and

WHEREAS, Mr. Leftwich was hired as a Building Inspector for the City of Roanoke in March of 1954, was appointed Building Commissioner on November 1, 1956, and served the City with distinction; and

WHEREAS, after retiring his position with the City in 1974, Mr. Leftwich worked as Construction Inspector for Virginia National Bank and then as Chief Inspector for Joseph Griggs & Associates.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. City Council adopts this resolution as a means of recording its deepest regret and sorrow at the passing of Lewis Gregory Leftwich, and extends to his family its sincerest condolences.

2. The City Clerk is directed to forward an attested copy of this resolution to Mr. Leftwich's wife, Mary Wright Leftwich; his son, Robert Lewis Leftwich; and his two grandchildren,

Michelle Leftwich-Smith of Roanoke, and Robert Lewis Leftwich II of Miami, Florida.

ATTEST:

City Clerk.

July 2, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Agreement between City of
Roanoke and YMCA

Background:

The YMCA of Roanoke Valley, a non-profit organization, plans to build a new 40,000 square feet Central Branch YMCA to be located at 5th Street and Luck Avenue. This facility is needed to accommodate its expanding number of programs and to replace its current outdated facility. Construction of the new \$6.5 million facility is scheduled to begin no later than June 1, 2002. The YMCA has made a formal offer to the City to enter into a collaborative agreement for partnering on the development and use of the new facility.

Considerations:

The Agreement, similar in form to Attachment A, specifies that the City will provide a two million dollar (\$2,000,000) grant toward the construction of the indoor aquatic facility. Annual equal payments will be made to the YMCA over a period of ten (10) years with the first payment of \$200,000 due by September 1, 2001. Funding of \$200,000 for the FY 2002 payment is available in account number 008-530-9757-9003. Funding for the annual payment of \$200,000 for the remainder of the nine year commitment will be provided for annually during the budget adoption process. This funding may be provided from Capital Projects Fund interest earnings or as a part of the adopted Transfer to Capital Projects Fund. Funding for operational support will not be requested. To facilitate construction, a real estate swap will occur between the City and the YMCA as indicated in Attachment B. The City will transfer title of Roanoke City Official Tax Nos. 1113419 and 1113418 (506 Church Avenue and adjoining lot) to the YMCA. Upon completion of the construction of the new facility, the YMCA will transfer title of its current parking lot and facility, excluding the annex gymnasium, which adjoins

The Honorable Mayor and Members of Council
July 2, 2001
Page 2

the current Central Branch of the YMCA (425 Church Avenue), Roanoke City Official Tax Nos. 1011206, 1011209 and 1011210. The property received by the City may be valuable in addressing parking needs in this area.

Benefits for City residents as outlined in the Agreement include a discount on the initial joining fee at all facilities owned or operated by the YMCA in the City of Roanoke, County of Roanoke, City of Salem, Town of Vinton and County of Botetourt. In addition, Parks and Recreation will participate with the YMCA in a Program Committee to develop programs.

Recommended Action:

City Council authorize the City Manager and the City Clerk to execute and attest, respectively, an Agreement in substantially the same form attached as Attachment A, and as approved as to form by the City Attorney and any other documents necessary to implement the terms of the Agreement.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:kaj

Attachment

cc: Rolanda A. Johnson, Assistant City Manager for Community Development
Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Wanda B. Reed, Acting Director of Parks and Recreation

#CM01-00138

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE authorizing the City Manager to execute an agreement, deed and any related and necessary documents providing for the sale and conveyance of City-owned property located at 506 Church Avenue and the adjoining lot, bearing Official Tax Nos. 1113419 and 1113418, to the YMCA of Roanoke Valley, Inc., upon certain terms and conditions, and dispensing with the second reading of this ordinance.

WHEREAS, a public hearing was held on July 2, 2001, pursuant to ' ' 15.2-1800(B) and 15.2-1813, Code of Virginia (1950), as amended, at which hearing all parties in interest and citizens were afforded an opportunity to be heard on said conveyance.

BE IT ORDAINED by the Council of the City of Roanoke that:

1. The City Manager and the City Clerk are hereby authorized, for and on behalf of the City, to execute and attest, respectively, an agreement, deed and any related and necessary documents providing for the sale and conveyance of City-owned property located at 506 Church Avenue and the adjoining lot, bearing Official Tax Nos. 1113419 and 1113418, to the YMCA of Roanoke Valley, Inc., upon the terms and conditions set forth in the City Managers letter to this Council dated July 2, 2001.
2. All documents necessary for this conveyance shall be in form approved by the City Attorney.

3. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

October 16, 2000

12:15 p.m.

The Council of the City of Roanoke met in regular session on Monday, October 16, 2000, at 12:15 p.m., the regular meeting hour, in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

PRESENT: Council Members William D. Bestpitch, William H. Carder, C. Nelson Harris, W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

At 1217 p.m., the Mayor declared the meeting in recess until 2:30 p.m., at the Governor's School Lecture Hall, Patrick Henry High School, 2102 Grandin Road, S. W., City of Roanoke

At 2:30 p.m., the meeting reconvened in the Governor's School Lecture Hall, Patrick Henry High School, 2102 Grandin Road, S. W., City of Roanoke for a staff briefing on proposed amendments to the billboard ordinance.

PRESENT: Council Members William D. Bestpitch, William H. Carder, C. Nelson Harris, W. Alvin Hudson, Jr., William White, Sr, Linda F. Wyatt, and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; James D. Ritchie, Sr., Assistant city Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

CITY CODE-ZONING-SIGNS/BILLBOARDS/AWNINGS: The City Manager introduced a briefing on proposed changes to the Zoning Ordinance relating to billboard regulations on which Council will hold a public hearing at its 7:00 p.m., session this evening. In advance of the public hearing, she advised that certain background information would be in order by the Director of Community Planning in terms of the rationale behind the proposed changes versus waiting until a comprehensive sign ordinance review is completed, as well as what the changes represent in terms of legal cases that have occurred; whereupon, she introduced Evelyn S. Lander, Director of Community Planning, for the briefing.

Ms. Lander advised that it is important to recognize that the proposed amendments are brought forward separately from the amendments for sign regulations because of recent court decisions that affect the manner in which the City deals with billboards or outdoor advertising. She stated that other sign regulations in the City's Zoning Ordinance have been under study for several years, with approximately eight drafts to date that have been reviewed by City staff and the City Planning Commission's Ordinances and Names Committee, and the last time the City considered major revisions to its sign ordinance was approximately 20 years ago. She explained that with revisions to the City's Comprehensive Plan, there will be an opportunity to receive broad public input on the topic of sign regulations in general during task team meetings which will require up to one year to bring forth additional amendments to the sign regulations. Therefore, she noted that amendments dealing with billboards are needed immediately to address specific language that has been identified by the Circuit Court as being in conflict.

Ms. Lander called attention to the need to clarify the City Code to define how the City measures between billboards and to limit the placement of new billboards in those communities adjacent to gateway commercial corridors and residential neighborhoods. She advised that the amendments to be considered by Council at its 7:00 p.m. public hearing were reviewed by the City Planning Commission Ordinances and Names Committee in July and referred to the City Planning Commission for public hearing on September 21, 2000; and current regulations must be changed to specifically define how the City measures billboards from one location to another because at the present time, conflicting language exists in the City Code. She stated that a conflict word is proposed to be removed in the existing City Code as directed by the courts and the City will maintain its current method of measuring distance between billboards as is done for other land uses, i.e.: from property line to property line. She added that this method is used because it is set forth in the existing code section and the City must document public surveys of property lines that allows for logical, accurate, equitable and appropriate administration of regulations. For the purpose of billboard regulation, she noted it is also important that the City not only

maintain its previous interpretation for measuring between billboards, but consider how other central cities like Roanoke address billboards as opposed to rural communities. She explained that cities like Roanoke have numerous commercial corridors throughout the municipal boundaries and numerous properties fronting on arterial and collector streets; whereas, rural areas, such as the surrounding counties, have fewer commercial corridors and properties that may be of larger acreage. She advised that it is especially important that the City regulate and measure billboards consistent with other land uses that are regulated in the City Code and administer regulations accurately and equitably by using documented, accurate land surveys and not instrument measurements that may be suggested or provided by the sign industry.

Ms. Lander advised that the second issue relates to the need to address the placement of billboards along the arterial and collector streets near the City's municipal boundaries and residential areas; therefore, definitions are included of arterial, collector and local streets in the proposed ordinance. In addition, she stated that the City Planning Commission is recommending that billboards be better regulated along the gateway corridors into the City and adjacent to residential neighborhoods, and specifically, it is recommended that along those gateway corridors that intersect a municipal boundary and where there is commercial or industrial zoning, billboards should be separated by at least 500 feet as opposed to the existing 250 feet currently set forth in the ordinance. She noted that existing billboards that are closer than 500 feet along municipal boundaries are grandfathered and may continue to exist; and it is also important to note that the City Planning Commission is recommending more stringent regulations with respect to the placement of billboards near the City's municipal boundaries and gateway corridors and near residential neighborhoods, but it is not recommending a change in the distance separating billboards outside of these areas.

Mr. Lander referred to a table summary illustrating how other communities similar to Roanoke deal with billboards, and pointed out that most of the cities and urban communities that were contacted have amended their ordinance to not permit billboards; however, of those communities that permit billboards, regulations appear to be more restrictive than Roanoke's existing regulations, with only the County of Fairfax being less restrictive than the City of Roanoke. She referred to a handout on communities within the Roanoke M.A., and noted that the City of Salem and Botetourt County do not permit new billboards; and it is important to note that surrounding localities do not have the same development patterns as the City of Roanoke.

Ms. Lander advised that the recommendation of the City Planning Commission is that the amendments before Council are necessary to assist staff in clarifying the

City Code so as to maintain its previous interpretation in regard to regulating billboards from property line to property line. She explained that if the City Code is not clarified, the City could be subject to additional billboards that would not have been permitted before certain court decisions were issued, and the proposed amendments will also allow the City to deal more appropriately with new billboards in the gateway areas adjacent to municipal boundaries and residential neighborhoods.

There was discussion with regard to interpretation of the word “not withstanding”; whether representatives of the billboard industry were aware that the briefing was scheduled prior to the 7:00 p.m., public hearing; the responsibility of the City of Roanoke to be a participatory government with its businesses by involving those businesses in the formation of a document at its inception, thereby allowing the document to be owned by all participants as the process proceeds through the various stages; and discrepancies between the summary presented by City staff in connection with what a survey of other localities compared with a survey submitted by representatives of the billboard industry.

The Mayor advised that he owns controlling interest in a company that has installed a billboard on his property, from which he receives compensation; whereupon, he inquired if he would have a conflict of interest in voting on the proposed amendments. The City Attorney advised that there does not appear to be a conflict of interest.

The Mayor stated that no action was required at this time since Council will hold a public hearing at its 7:00 p.m., session on proposed revisions to be billboard regulations.

At 2:55 p.m., the Mayor declared the meeting in recess until 3:00 p.m., at the Governor’s School Lecture Hall, Patrick Henry High School, 2102 Grandis Road, S. W., City of Roanoke.

At 3:00 p.m., on Monday, October 16, 2000, the regular meeting of City Council reconvened in the Governor’s School Lecture Hall, Patrick Henry High School, 2102 Grandis Road, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members William D. Bestpitch, William H. Carder, C. Nelson Harris, W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; James D. Ritchie, Sr., Assistant City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by Council Member William D. Bestpitch.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PRESENTATIONS

PROCLAMATIONS-DRUGS/SUBSTANCE ABUSE: The Mayor presented a proclamation declaring October 22 - 31, 2000, as Red Ribbon Week in the City of Roanoke.

Displaying red in the form of banners, ribbons worn as lapel pins, ribbons placed on car antennas, and red bows placed on mail boxes or on front doors by citizens of Roanoke demonstrate their commitment to a drug-free community.

(For full text, see proclamation on file in the City Clerk's Office.)

PROCLAMATIONS: The Mayor presented a proclamation declaring the month of October as National Arts and Humanities Month in the City of Roanoke.

(For full text, see proclamation on file in the City Clerk's Office.)

PROCLAMATIONS: Inasmuch as Kit B. Kiser, Assistant City Manager for Operations, will retire from the City of Roanoke on October 31, 2000, after a long and distinguished career spanning 33 years, the Mayor presented a proclamation declaring Monday, October 16, 2000, as Kit B. Kiser Day in the City of Roanoke.

On behalf of the citizens of the City of Roanoke and the Members of Council, the Mayor presented Mr. Kiser with a Key to the City in appreciation of his service.

(For full text, see proclamation on file in the City Clerk's Office.)

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda are considered to be routine by the Members of Council and will be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion is desired, that item will be removed from the Consent Agenda and considered separately. He called specific attention to one request for a Closed Meeting to discuss personnel matters with regard to vacancies on various authorities, boards, commissions and committees appointed by Council.

COMMITTEES-COUNCIL: A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by the Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended, was before the body.

(For full text, see communication on file in the City Clerk's Office.)

ACTION:

Mr. Harris moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by the Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

OATHS OF OFFICE-COMMITTEES-MUNICIPAL AUDITOR-HIGHER EDUCATION CENTER-FIFTH PLANNING DISTRICT COMMISSION-PENSIONS-ROANOKE NEIGHBORHOOD PARTNERSHIP: The following reports of qualification were before Council:

**Robert H. Bird as Municipal Auditor for the City of Roanoke
for a term of two years commencing October 1, 2000 and
ending September 30, 2002;**

Mark Emick as a member of the Roanoke Higher Education Authority Board of Trustees;

Evelyn S. Lander as a member of the Roanoke Valley-Alleghany Regional Commission for a term of three years ending June 30, 2003;

Melvin L. Sanders as a member of the Board of Trustees, City of Roanoke Pension Plan, for a term ending June 30, 2002; and

Randall J. Scott as a member of the Roanoke Neighborhood Partnership Steering Committee for a term ending November 30, 2002.

(See Oaths or Affirmations of Office on file in the City Clerk's Office.)

ACTION:

Mr. Harris moved that the reports of qualifications be received and filed. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

REGULAR AGENDA

HEARING OF CITIZENS UPON PUBLIC MATTERS:

TAXES-WILLIAMSON ROAD AREA BUSINESS ASSOCIATION: Mr. John Huffman, 3034 Wentworth Avenue, N. W., addressed council in connection with a petition signed by at least one-half of the property owners in the Williamson Road area requesting elimination of the tax imposed on business owners in the Williamson Road Special Service District. He advised that the petition was forwarded to David L. Collins, Assistant City Attorney, for review. (A copy was not filed with the City Clerk.)

The Mayor advised that Mr. Huffman also appeared before Council on April 17, 2000, at which time his request was referred to the

City Manager for report. He stated that the City Manager responded by letter dated May 18 and reported that after reviewing property in the Williamson Road Service District and the work plan of the Williamson Road Area Business Association, it is recommended that Council not redraw the service district boundaries. The Mayor further advised that it was his understanding that the City Manager has not changed her position on the matter.

Without objection by Council, the Mayor advised that the remarks of Mr. Huffman would be received and filed.

PETITIONS AND COMMUNICATIONS:

BUDGET-SCHOOLS: A communication from the Roanoke City School Board requesting appropriation of funds to the following school accounts, was before Council.

\$700.00 for the Kaplan SAT Tutorial Program to sponsor two students to participate in the Kaplan SAT tutorial., said new grant to be funded with a contribution;

\$613,424.00 from 2000-01 Capital Maintenance and Equipment Replacement Funds to fund school buses, facility maintenance equipment, relocation of modular units, replacement of maintenance vehicles, asbestos abatement, roof replacement, handicap access, Magnet School improvements, and elementary school improvements;

\$2,356,656.00 to provide Literary Loan funds to be used for improvements to Fairview Elementary School; said funds to provide for construction costs, architect and engineering fees, and a contingency reserve; and

\$2,243,334.00 to provide Literary Loan funds to be used for improvements to Fishburn Park Elementary School, said funds to provide for construction costs, architect and engineering fees, and a contingency reserve.

A report of the Director of Finance recommending that Council concur in the request of the School Board, was also before the body.

(For full text, see communication and report on file in the City Clerk's Office.)

Mr. White offered the following emergency budget ordinance:

(#35093-101600) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 General, School and School Capital Projects Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63, page 549.)

ACTION:

Mr. White moved the adoption of Ordinance No. 35093-101600. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-SCHOOLS: A communication from the Roanoke City School Board requesting that Council approve a revised Literary Fund loan application, in the amount of \$2.75 million, for the Fairview Elementary School project, was before the body.

It was advised that the overall project cost for the Fairview and Fishburn Park Elementary School projects is \$4.6 million based on bids received last week; total project cost for both schools is \$400,000.00 less than the \$5.0 million estimate for Literary Fund loans on projects included in the School Board's May 2000 Capital Improvement Plan; Council is requested to appropriate \$2.35 million of the \$2.75 million Fairview Literary Fund loan request, with the remaining \$400,000.00 of the Literary Fund loan request not to be appropriated at this time; and funds will be requested for appropriation only if unforeseen additional work is required during project construction.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Hudson offered the following Resolution:

(#35094-101600) A RESOLUTION authorizing the School Board for the City of Roanoke to make application for a loan from the State Literary Fund for modernizing Fairview Elementary School.

(For full text of Resolution, see Resolution Book No. 63, page 551.)

ACTION: Mr. Hudson moved the adoption of Resolution No. 35094-101600. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Hudson offered the following Resolution:

(#35095-101600) A RESOLUTION authorizing the School Board for the City of Roanoke to expend funds for adding to and improving the present school building at Fairview Elementary School and declaring the City’s intent to borrow to fund or reimburse such expenditures.

(For full text of Resolution, see Resolution Book No. 63, page 552.)

ACTION: Mr. Hudson moved the adoption of Resolution No. 35095-101600. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

BONDS/BOND ISSUES-BUDGET-SCHOOLS: A communication from the Roanoke City School Board requesting that Council issue General Obligation Qualified Zone Academy Bonds (QZAB) in an aggregate principal amount not to exceed \$1,291,618.00, was before the body.

It was advised that funds will be used to reconstruct and equip the Roanoke Academy for Mathematics and Science; the QZAB initiative

is a Federal program that allows lending institutions and schools to form a mutually beneficial partnership to support education; the program offers bonds, interest-free, and allows a bank or other lending institution to purchase the special no-interest bond on behalf of a school; and schools qualify based on their percentage of free lunch students.

(For full text, see communication on file in the City Clerk’s Office.)

Mr. Harris offered the following resolution:

(#35096-101600) A RESOLUTION (i) authorizing the School Board for the City of Roanoke to expend funds for construction and equipping of a new building for the Roanoke Academy for Mathematics and Science, including the demolition of the existing building currently occupied by the Roanoke Academy for Mathematics and Science and declaring the City’s intent to borrow to fund or reimburse such expenditures; and (ii) authorizing and directing the City Manager to file an application with the Virginia Department of Education seeking an allocation of authority to issue the City’s general obligation qualified zone academy bonds in an amount not to exceed \$1,291,618.00 to finance equipment for the Roanoke Academy for Mathematics and Science.

(For full text of Resolution, see Resolution Book No. 63, page 553.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35096-101600. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: None.

ITEMS RECOMMENDED FOR ACTION:

TRAFFIC-PARKS AND RECREATION: The City Manager submitted a written report advising that In April and July, 1998, the City hosted public workshops on the future of the Wiley Drive corridor; alternative solutions included (1) two-way traffic with a cul-de-sac at Franklin Road, (2) making the road one-way, (3) closing the road to automobiles, (4) restoring two-way thru traffic with an off-road recreational trail, and (5) stopping through-traffic by splitting the road into two culs-de-sac in Smith Park; each of these alternatives includes the off-road trail which is planned as a part of the Roanoke River Flood Reduction Project; at the same time, the Roanoke River Sewer Interceptor Project was progressing to the vicinity of Smith Park; construction of the sewer interceptor in Smith Park was never intended to close Wiley Drive and in fact, the first leg of the Roanoke River Greenway Trail was built through Smith Park largely to provide access to the park during this construction, however, unfortunately, engineering issues necessitated the temporary closing of Wiley Drive in January 1999; and originally, City staff expected to reopen the road in a few months.

It was further advised that on June 22, 2000, the City hosted the third public workshop to present a recommendation favoring the first alternative and seeking public comments; approximately 50 citizens attended the meeting and 30 left written comments; most of the interaction was positive and upbeat, and although no alternative could be called the consensus choice, two-way thru traffic seemed to have the strongest apparent support; as a result, City staff recommended implementing the plan with two-way thru traffic and traffic-calming measures as a part of the current Capital Improvements Program project for park improvements; a budget for the project was prepared by a subcommittee of the Citizens Advisory Committee for the Comprehensive Parks & Recreation Master Plan, and the Citizens Advisory Committee supported using bond funds for the project; Council appropriated funds for implementation at its regular meeting on August 21, 2000, pursuant to Ordinance # 35023-082100, Account No. 008-620-9741-9001; and during the October 2, 2000, City Council meeting, a number of citizens voiced both support and opposition for re-opening Smith Park, and in addition, numerous e-mails, voice mails and letters have been received by the City Manager's Office regarding the issue.

It was noted that the project has generated concerns from a wide range of interest groups; in summary, citizens have shown a great interest in protecting the park experience and the beauty of the river corridor, while providing access to the river and to the recreational features of Smith Park; City staff has been moving to implement the two-way thru traffic, traffic-calming measures, and the off-road trail; and City staff is engaged in contract negotiations with Hill Studio, PC, for development of construction documents.

The City Manager recommended that City staff proceed with the recommendation to implement a plan involving two-way thru traffic with traffic-calming measures and an off-road trail in order to permit all citizens access to the park and to Wiley Drive.

(For full text, see report on file in the City Clerk's Office.)

ACTION:

Mr. Hudson moved that Council concur in the recommendation of the City Manager. The motion was seconded by Mr. White.

In view of the number of persons who had registered to speak on the issue, it was the consensus of Council that each speaker would be limited to two minutes.

Mr. Duane Howard, 508-B Walnut Avenue, S. W., advised that closing Wiley Drive is a new issue and facts and figures are being used from reports that were prepared in previous years and some information may be outdated. He submitted a petition signed by 165 persons over a period of seven hours requesting that Council delay its vote on the issue to provide more time for consideration of other options.

Ms. Christene A. Montgomery, 622-A Walnut Avenue, S. W., advised that Wiley Drive and Smith Park are existing public roadways that provide persons with disabilities with equal access to both parks and Wiley Drive served as her access to the public picnic shelter and the playground area in Smith Park. She stated that when changes are made that take away her access to the park area, that is a violation of the Americans with Disabilities Act; installation of speed bumps, etc., between the location where she parks her vehicle and accesses the sidewalk is in violation of her rights as a disabled citizen; and during the time that the park has been open to other persons and not to her as a disabled citizen, she has been discriminated against. She stated that

she wants equal access to both parks, along with parking for her vehicle.

Mr. Henry Reese, 2426 Montvale Road, S. W., advised that if the gate at the end of Smith Park is made wheel chair friendly, with appropriate paving, wheel chair accessibility would be available without being impeded by vehicular traffic. He spoke to the enjoyment of riding his bicycle along the river without being concerned about traffic, and to open Wiley Drive to vehicles would cost in the range of \$200,000.00 - \$300,000.00 which could be better spent on other City needs.

Mr. Sonny Widener, 1422 Main Street, S. W., advised that requirements of the Americans with Disabilities Act should be considered; Smith Park is not a new park; and to deny vehicular access violates the rights of all citizens to have access to the park. He addressed the needs of families with small children who need full access to the park, elderly and disabled citizens who are physically unable to walk long distances, and air quality in Smith Park with vehicular traffic would be no different than that on any other heavily traveled roadway of the City. He requested that Council, as the elected representatives of all citizens, do the right thing for all taxpayers of the City of Roanoke and not just a select few.

Mr. Fred Landis, 2740 Fawn Road, S. W., encouraged Council to reopen Smith Park to vehicular traffic. He stated that he has been a frequent user of the park for over 40 years and he would like to enjoy the park without restrictions.

Mr. Fredrick Williams, 3725 Sunrise Avenue, N. W., advised that for many years, he used Wiley Drive as a short cut between his home in the South Roanoke area and his place of employment in the City of Salem and, like everyone else who used Wiley Drive, he exceeded the speed limit. He stated that Wiley Drive is not needed as a corridor for traffic, because the road has been closed for two years and no problems have resulted as a result of its closure. However, he advised that the real issue is, where should streets go and what should be the character of the street system and specifically, in this case, the question is, do City streets belong in public parks. He added that the answer is clearly no because there are numerous creative ways to insure that all persons have access to Smith Park without reopening Wiley Drive to through traffic. He stated that the irony is that the City of Roanoke is in need of

traffic calming measures on any number of City streets, but instead, it is proposed to spend large sums of money for traffic calming measures on a street that should not be open to through traffic. He advised that at the very least, Council should table the recommendation of the City Manager, allow ample time for citizens to become familiar with the current configuration of Smith Park, and convene a meeting of all interested parties to reach an acceptable plan for Smith Park.

Ms. Patty Vipperman, 208 Windward Drive, S. W., read a portion of an e-mail prepared by her husband, Dick Vipperman, in which he requested that Council base its recommendations on the Smith Park issue using the same kind of visionary thinking that resulted in Center in the Square, the Star on Mill Mountain, opening of the Shenandoah Hotel, and development of the Jefferson Center, etc. She asked that citizens be shown that a greenway is something special and that a park should be used as a park – not as a short cut, and, in addition to the action of providing a more equitable balance in recreational facilities, Council should take a leadership position that says Roanoke promotes quality of life and ecological improvements. She asked that Council delay its vote and look at Smith Park from the standpoint of a new park.

Mr. Willie Carr, 2739 Colonial Avenue, S. W., suggested that the City consider installing a barricade on Wiley Drive at Smith Park to stop traffic which would allow access at the front from either end, with adequate parking and turn around capability.

Mr. Roy C. Kinsey, 2975 Rosalind Avenue, S. W., advised that Smith Park and Wiley Drive should be open for enjoyment by all persons regardless of age.

Mr. Bruce Knappe, 2220 Westover Avenue, S. W., advised that there have been many intelligent arguments made for limiting traffic in Smith Park and the point has been made that motor vehicle traffic would detract from Smith Park's quality as a park; therefore, he questioned the benefit of full two way traffic. He stated that the only benefit would be for convenience purposes – for those persons traveling from one side of the City to the other, and inquired as to the City's priorities, i.e.: having a beautiful park in the center of the City, or having a more convenient way for persons to get from one side of the City to the other. He added that the plan recommended by the City Manager is a more expensive

alternative than other plans that have been suggested that do not allow for two way traffic; and two bridges

must be replaced and the City Manager's plan requires that bridges accommodate two way traffic, plus incorporation of the greenway, which could involve a considerable sum of money.

Thomas Shelley, 2402 Avenel Avenue, S. W., spoke in support of closing Wiley Drive to vehicular traffic.

Ms. Barbara Duerk, 2607 Rosalind Avenue, S. W., advised that shared access is possible for a win/win situation, but not with two way vehicular traffic. She stated that in the absence of a clear public consensus, City staff recommended 12 foot lanes plus a 12 foot trail because the area serves as an in town life-oriented scenic parkway which is wrong. She stated that additional asphalt will create more water run off, leading to added flooding conditions in the area.

Ms. Fredricka Monk, 3343 Pittsfield Drive, N. W., requested that the City Manager postpone her recommendation to allow more time to study the matter before Council makes a final decision.

Mr. Robert McCleary, 1205 Dale Avenue, S. E., spoke in support of closing Wiley Drive to vehicular traffic. He called attention to air pollution created by vehicular traffic and although closing Wiley Drive will not solve the problem, it will be a step in the right direction.

Mr. John Parrott, 714 Wildwood Road, S. W., appeared before Council in his capacity as the father of an 11 year old disabled child. He requested that Council postpone its decision, because it is felt that keeping Wiley Drive closed to vehicular traffic opens a whole new world to people with disabilities because there are very few places in the City of Roanoke where disabled persons can go and not be concerned about cars.

Mr. Norman Prince, 550 Mountain Avenue, S. W., advised that it should be easy to find a solution to the problem to allow access by automobiles to Smith Park, while at the same time denying high speed access through the park. He encouraged Council to delay action on the matter to allow sufficient time to address other alternatives.

Ms. Elizabeth Barbour, 541 Camilla Avenue, S. E., encouraged that the vote be delayed to provide time to review other alternatives, while not allowing vehicular traffic. She called attention to the

possibility of creative cul-de-sacing will allow all persons to have access to the park which would provide a large multi acreage park that is primarily clear of vehicular traffic and will help the City of Roanoke to attract the kinds of people and businesses that are desired in the year 2000 and beyond.

Ms. Lisa Knappe, 2220 Westover Avenue, S. W., requested that Council delay the vote to provide more time for study of other alternatives.

Mr. Edward Hokanson, 4351 Garst Mill Road, S. W., advised that the issue is one of quality of life which has no geographic boundaries. He stated that Council has an opportunity to address a quality of life issue and asked that Council delay its vote on Wiley Drive to consider other alternatives.

Ms. Susan Adams, 430 Allison Avenue, S. W., requested that Council delay its vote to allow more time to study other alternatives. She stated that on a recent visit to Smith Park, she observed numerous disabled citizens and children enjoying the scenic atmosphere of the Park, and requested that Wiley Drive remain closed to vehicular traffic for another six to twelve months in an effort to find a solution that will address the needs of all persons.

Mr. William O. Lavin, 3062 Carolina Avenue, S. W., requested that Council vote on the issue and move on to more important issues facing the City of Roanoke.

Ms. Lori K. Heymann, 3051 Hemlock Road, S. W., requested that Council delay its vote to allow more time to study the matter. She spoke in support of leaving Wiley Drive closed to vehicular traffic and noted that if the corridor for the bio-med center is developed, the roadway will be worthless in five years as a thru way because it will not be able to accommodate the volume of traffic that is anticipated. She stated that to pit vehicular against bicycles is unfair.

Mr. Bestpitch spoke in support of closing Smith Park for the entire length of Wiley Drive, starting at Winchester Avenue at the far end of Wasena Park and extending all the way back to the other end of Wiley Drive toward Jefferson Street, making the entire length one way, installing barricades to separate vehicular traffic from automobiles and

walkers, with open space appropriately marked “pedestrian crossway”, to enable persons to walk from one side to the other in an effort to meet the needs of all citizens.

Ms. Wyatt advised that in order to avoid the appearance of discriminatory practice, it is important to address the issue so as to provide equal access for all citizens of the community and not just a select group. Therefore, she stated that she would support the suggestion of Council Member Bestpitch which provides for vehicular traffic, allows persons to access the park by either car or bicycle, etc., and enables full access to the park, while not making it more convenient for one group over another.

Mr. Hudson advised that the matter can be discussed indefinitely and there will continue to be a divided Council because it will be impossible to please everyone; therefore, it is time for Council to vote and move on to other important issues facing the City. He stated that parks are for all citizens and should not be limited to a select few, therefore, the recommendation of the City Manager provides something for everyone.

The City Manager was requested to respond to the various alternatives/suggestions which were offered by the above listed speakers; whereupon, she advised that her report provided information on previous actions and discussions by Council; while trying to review the issue in a professional manner. She stated that she has reviewed and evaluated all of the alternatives that were presented to Council by the various speakers, and she is committed to providing Council with a recommendation that is in the best interest of all of the citizens of Roanoke and not a select group. She advised she considered the issues of one-way traffic and is of the opinion that Wiley Drive should be open to traffic, therefore, she cannot recommend to Council that the road remain closed or support any recommendation for cul-de-sacing. She stated that her recommendation to Council remains the same; however, if Council were to be persuaded to do otherwise, her second choice would be to open Wiley Drive to one way traffic in the direction of the hospital. She stressed that she continues to support her recommendation to Council because it supports the greatest percentage of Roanoke’s population.

The Mayor advised that the purpose of Council is serve as many citizens as possible; therefore, more citizens would be served by opening Wiley Drive to one way traffic, which is an option that he would support.

ACTION:

Mr. Bestpitch offered a substitute motion that Council request City staff to proceed with development of a plan to allow one way traffic on Wiley Drive for the entire length of Wasena Park and Smith Park. The substitute motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Wyatt and Mayor Smith-----5.

NAYS: Council Members Hudson and White-----2.

BUDGET-PUBLIC WORKS-ENVIRONMENTAL POLICY: The City Manager submitted a written report advising that in May 2000, funding needs for environmental commitments related to Consent Agreements and clean-up at the Public Works Service Center (PWSC) were identified; the City continues to work with the State Department of Environmental Quality and the Federal Environmental Protection Agency to bring the matter to a close; \$477,911.00 was included in General Fund Transfer to Capital Projects Fund account in the adopted budget, and \$60,000.00 was included in the Capital Maintenance and Equipment Replacement Program (CMERP) for fiscal year 2000-01 to help meet the City's legal commitments for the current fiscal year; and action by Council is needed to appropriate the funds to the Public Works Service Center project.

It was further advised that to cover legal commitments of the Public Works Service Center Project in fiscal year 1999-00, \$296,182.00 was transferred from the Roanoke River Flood Reduction Project and must be repaid, \$97,911.00 is being repaid via this report; and the remaining \$198,271.00 to be replenished to this account will be provided from Transfer to Capital during fiscal year 2001-02.

The City Manager recommended that Council appropriate funds, as follows:

Appropriate From:

<u>Account Name</u>	<u>Account Number</u>	<u>Amount</u>
Transfer to Capital Projects Fund	001-250-9310-9508	\$477,911.00
CMERP - FY 2000-01	001-3323	<u>60,000.00</u>
Total		<u>\$537,911.00</u>

Appropriation To:

<u>Account Name</u>	<u>Account Number</u>	<u>Amount</u>
• Environmental Issues - PWSC:		
Environmental Consultants/ Subcontractors	008-052-9670-9251	\$225,000.00
Legal Costs	008-052-9670-9252	60,000.00
Audits (PWSC, P&R, ULS)	008-052-9670-9217	15,000.00
• Settlement - State DEQ:		
Annual Hazardous Waste Clean- up Day (Community Projects)	008-052-9681-9214	65,000.00
Stream Bank Restoration Project	008-052-9681-9216	<u>75,000.00</u>
Subtotal - PWSC		\$440,000.00
• Roanoke River Flood Reduction	008-056-9620-9003	<u>97,911.00</u>
Total		<u>\$537,911.00</u>

(For full text, see report on file in the City Clerk's Office.)

Mr. White offered the following emergency budget ordinance:

(#35097-101600) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 General and Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63, page 555.)

ACTION:

Mr. White moved the adoption of Ordinance No. 35097-101600. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Martin Jeffrey, 517 Rutherford Avenue, N. W., inquired as to total cost of clean up efforts at the Public Works Service Center and who was the responsible party for authorizing the burying of the barrels. He called attention to abandoned vehicles (buses and automobiles) in the vicinity of the Public Works Service Center (Interstate 581) and inquired if they will be removed.

ACTION:

Council Member White suggested that the comments of Mr. Jeffrey be referred to the City Manager, City Attorney and Director of Finance for response.

HEALTH DEPARTMENT-BUDGET-GRANTS: The City Manager submitted a written report advising that each year, the City submits a Consolidated Plan Annual Update (Annual Update) to the U. S. Department of Housing and Urban Department (HUD), in order to receive Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) entitlements; and the Annual Update describes individual programs to be conducted with funds awarded to the City.

It was further advised that Kuumba Community Health and Wellness Center has requested financial assistance for development of its Community Health and Wellness Center located at 3716 Melrose Avenue, N. W., to provide primary family health care, health education, assistance in obtaining medications, patient case management and preventive care counseling to residents in this under served area; a subgrant agreement with Kuumba is necessary to provide funding and funding is available in Account No. 035-G01-0140-5189, in the amount of \$55,000.00, to be transferred to an account to be established by the Director of Finance.

The City Manager recommended that she be authorized to amend the 2000-01 Annual Update to the HUD Consolidated Plan to reflect inclusion of the Kuumba program, and to execute documents in connection with said amendment, following a public review and comment period, and provided that no compelling adverse public comments are received; that the City Manager be further authorized to execute a CDBG Subgrant Agreement with Kuumba Community Health and Wellness Center, to be approved as to form by the City Attorney, and that Council transfer \$55,000.00 from Account No. 035-G01-0140-5189 to an account to be established by the Director of Finance.

(For full text, see report on file in the City Clerk's Office.)

Mr. Carder offered the following emergency budget ordinance:

(#35098-101600) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63, page 557.)

ACTION:

Mr. Carder moved the adoption of Ordinance No. 35098-101600. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Harris offered the following resolution:

(#35099-101600) A RESOLUTION authorizing the City Manager to amend the Annual Update to the Consolidated Plan for FY 2000-01, and to execute documents in connection with said amendment; and authorizing execution of a Subgrant Agreement with the Kuumba Community Health and Wellness Center.

(For full text of Resolution, see Resolution Book No. 63, page 558.)

ACTION:

Mr. Harris moved the adoption of Resolution No. 35099-101600. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-HUMAN DEVELOPMENT: The City Manager submitted a written report advising that the Roanoke Valley Task Force on Homelessness appointed by the City Manager in 1987 established a

vision to reduce the incidence and prevalence of homelessness in the Roanoke Valley; since that time, numerous programs have been developed to address the issue of homelessness, including establishment of the Homeless Assistance Team (HAT); in 1997, the City of Roanoke received grant funds from the U. S. Department of Housing and Urban Development (HUD) to provide supportive services to the homeless; the current grant, in the amount of \$433,656.00, was renewed in February 2000, for an additional three-year period; and grant funds provide for three full-time employees.

It was further advised that the current grant provides only medical and dental benefits for these full-time employees and no additional HUD funding will be available until the year 2003; the City is requesting local funds to cover the costs of life insurance, disability insurance, retirement and paid leave benefits as afforded other employees, at a total cost for the remainder of the grant cycle of \$33,779.00; and funding is available in State and Local Hospitalization, Account No. 001-630-5330-2010.

The City Manager recommended that Council appropriate \$33,779.00 from State and Local Hospitalization Program, Account No. 001-630-5330-2010, to grant fund revenue and expenditure accounts to provide funds for full benefits for three full-time employees.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35100-101600) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 General and Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63, page 559.)

ACTION:

Mr. Harris moved the adoption of Ordinance No. 35100-101600. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

YOUTH-ROANOKE INTERAGENCY COUNCIL: The City Manager submitted a written report advising that Council adopted Resolution No. 31301-011193 establishing a Community Policy and Management Team (CPMT) for the City of Roanoke, pursuant to the Comprehensive Services Act for At-Risk Youth and Families, appointing membership, providing powers and duties of the Team, and designating legal counsel and a fiscal agent, effective January 1, 1993; Section 2.1-751, Code of Virginia (1950), as amended, requires the Community Policy and Management Team to appoint representatives of certain agencies, including the community services board, juvenile court services unit, department of health, department of social services, and the local school division; when Council established the Team, representatives from member agencies were named by position and not by individual name; according to the resolution adopted by Council, the school representative to the Team is the Director of Special Services, and an administrative reorganization in the Roanoke City Schools shifted Community Policy and Management Team responsibility to the Assistant Superintendent for Instructional Services and Learning Organizations.

The City Manager recommended that Council adopt a resolution amending Resolution No. 31301-011193 to establish the Assistant Superintendent for Instructional Services and Learning Organizations as the school representative to the Roanoke Interagency Council.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following resolution:

(#35101-101600) A RESOLUTION re-establishing the membership of the Roanoke Interagency Council.

(For full text of Resolution, see Resolution Book No. 63, page 561.)

ACTION:

Mr. Harris moved the adoption of Resolution No. 35101-101600. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-BLUE RIDGE INDEPENDENT LIVING CENTER: The City Manager submitted a written report advising that the Fifth District Disability Services Board (DSB) is responsible to local governments and serves as a critical resource for needs assessment, information sharing and service opportunities for citizens with disabilities, their families and the community; the following jurisdictions in the Fifth Planning District have enacted resolutions establishing their participation in a regional effort and appointed a local official to serve: the Cities of Roanoke, Salem, Covington, Clifton Forge; the counties of Roanoke, Craig, Botetourt, and Allegheny; and the Town of Vinton; other members of the Disability Services Board include representatives from business and consumers; and Council authorized the Director of Finance to serve as fiscal agent for the Fifth Planning District Disabilities Services Board on September 25, 1995, pursuant to Resolution No. 32675-092595.

It was further advised that funds, in the amount of \$10,973.00, have been allocated to the Fifth District DSB by the State Department of Rehabilitative Services to Blue Ridge Independent Living Center; Blue Ridge Independent Living Center will provide a local cash match of \$1,219.00; funds will be used to create a loan closet for use by people with physical and/or sensory disabilities, and the loan closet will provide those persons with physical and/or sensory disabilities who reside throughout the Fifth Planning District with an opportunity to utilize a variety of assistive devices to determine whether the device meets their need before actual purchase; such items will include side stepper cane/walker, electric wheelchair, transfer boards and other equipment; and these devices will be provided to individuals on an emergency or temporary basis.

The City Manager recommended that Council appropriate \$12,192.00 to certain grant fund accounts to be established by the Director of Finance and create a corresponding revenue estimate, to provide funding for the Fifth District DSB as follows: Fees for Professional Services (\$973.00) and Expendable Equipment (\$11,219.00); and the Blue Ridge Independent Living Center will

purchase equipment/devices and request reimbursement through the City.

(For full text, see report on file in the City Clerk's Office.)

Mr. Hudson offered the following emergency budget ordinance:

(#35102-101600) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63, page 561.)

ACTION:

Mr. Hudson moved the adoption of Ordinance No. 35102-101600. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

CMERP-EQUIPMENT: The City Manager submitted a written report concurring in a report of a Bid Committee with regard to Capital Maintenance and Equipment Replacement Program (CMERP) purchases.

It was advised that the CMERP has identified the need to replace three pick-up trucks with utility bodies, one cargo window van and one utility vehicle for various City departments; and identified units are intended to replace older units that are experiencing excessive repair cost and down time.

The Bid Committee recommended that Council accept the following bids:

- One new 3/4 ton, four - wheel drive pick-up truck cab/chassis, two new 3/4 ton pick-up truck cab/chassis and one new 3/4 ton cargo window van from Dominion Car Company, at a total cost of \$80,273.00.**

- **Three new utility bodies to be mounted on pick-up truck cab/chassis from General Truck Body Company, at a total cost of \$9,917.00.**
- **One new mid size, four - wheel drive utility vehicle from Magic City Motor Corp., at a total cost of \$26,942.00.**

It was explained that funding is available in Fleet Management Account No. 017-440-2642-9015, and Council is requested to authorize issuance of purchase orders for a total cost of \$117,132.00, and reject all other bids received by the City.

(For full text, see report on file in the City Clerk’s Office.)

Mr. Hudson offered the following resolution:

(#35103-101600) A RESOLUTION accepting bids made to the City for furnishing and delivering trucks and related equipment, upon certain terms and conditions; and rejecting all other bids made to the City.

(For full text of Resolution, see Resolution Book No. 63, page 562.)

ACTION: Mr. Hudson moved the adoption of Resolution No. 35103-101600. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

DIRECTOR OF FINANCE:

CITY CODE-TAXES-LEGISLATION-UTILITIES: The Director of Finance submitted a written report advising that in addition to the Special Tax on Consumers of Local Telephone Service (the “E-911 Tax”) and the Tax on Purchase of Utility Services (“Utility Consumer Tax”), the Office of Billings and Collections administers numerous other local taxes, such as the Prepared Food and Beverage Tax, Admissions Tax, and the Transient Occupancy Tax; with the exception of the E-911 Tax and the Utility Consumer Tax, all of these taxes provide that the legal entity which collects the taxes must file both a report and a remittance by the due date of the taxes to avoid a penalty; the report filed along with the tax payment includes information such as account number, tax period, and the basis on which the tax is calculated and also includes other necessary information such as any exemptions, gross receipts, number of telephone lines, etc., which allows verification of the calculated tax payments; and the City has recently become aware that both the E-911 Tax and the Utility Consumer Tax ordinances as

written impose a penalty only when payment is not made, which often causes difficulty in processing payments without the required reporting form.

The Director of Finance recommended that Council adopt an ordinance amending Article XIII, Special Tax on Consumers of Local Telephone Service, Section 32-282.2 and Article VII Tax on the Purchase of Utility Services, Section 32-180, to provide a penalty if both a report and remittance are not filed and paid within the time specified by Section 32-277 and Section 32-171, respectively.

(For full text, see report on file in the City Clerk’s Office.)

Mr. Hudson offered the following emergency ordinance:

(#35104-101600) AN ORDINANCE amending and reordaining Section 32-282.2, Penalty for late remittance, of Article XIII, Special Tax on Consumers of Local Telephone Service, of Chapter 32, Taxation, of the Code of the City of Roanoke (1979), as amended, and Section 32-180, Failure to remit, of Article VII.I, Tax on Purchase of Utility Services, of Chapter 32, Taxation, of the Code of the City of Roanoke (1979), as amended, by imposing a penalty on telephone and utility companies if such companies do not submit a report containing relevant payment information, in addition to the remittance of taxes collected, by the specified due date; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63, page 563.)

ACTION:

Mr. Hudson moved the adoption of Ordinance No. 35104-101600. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

CREDIT CARD: The Director of Finance and the City Manager submitted a joint written report advising that it would benefit the City of Roanoke to enter into a contractual arrangement with a credit card service provider for the use of purchasing cards; purchasing cards would be used for small dollar purchases of goods or services or for

approved employee travel; the use of credit cards would facilitate purchasing for small transactions and create processing efficiency through payment of one bill to one vendor, replacing numerous payments to many vendors; purchasing cards are a “best practice” as identified by the Government Finance Officers Association; and the Commonwealth of Virginia and numerous Virginia localities use credit cards.

It was further advised that the City administration plans to allow credit card purchases only where transactions do not exceed \$1,000.00; an administrative procedure would be prepared to govern the use of credit cards, and all persons issued credit cards would be required to sign a cardholder agreement concerning their responsibilities of card use; in order to implement the program, an organization qualified to provide credit card service, training and customer support, and necessary controls and restrictions required by the City must be engaged; although the sealed bid method of procurement would normally be used, it is not practicable or advantageous to use in this case, because the experience and qualifications of a firm that can provide these services is of equal, if not greater, importance than the cost; issues of rebate percentages, credit card flexibility, bill inquiry response time, billing procedures, dispute process time frame, quality and availability of management reports, and electronic media capabilities are of utmost importance; and, therefore, the process of competitive negotiation, using a request for proposal, will be the best method of procurement for such services.

The Director of Finance and the City Manager recommended that Council authorize the use of competitive negotiation as the method to secure a vendor to provide appropriate services for the City’s purchasing card program.

(For full text, see report on file in the City Clerk’s Office.)

Mr. Harris offered the following resolution:

(#35105-101600) A RESOLUTION designating the procurement method known as competitive negotiation, rather than the procurement method known as competitive sealed bidding, to be used for procurement of purchasing cards for small purchases and travel expenses and documenting the basis for this determination.

(For full text of Resolution, see Resolution Book No. 63, page 565.)

ACTION:

Mr. Harris moved the adoption of Resolution No. 35105-101600. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Martin Jeffrey, 517 Rutherford Avenue, N. W., inquired if a written policy will be established defining authorized users of City credit cards, cost projections based on current credit card rates, and criteria for bidding by credit card companies. He advised that this could be an opportunity for minority participation.

REPORTS OF COMMITTEES: None.

UNFINISHED BUSINESS: None.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

COUNCIL: Mr. Harris offered the following resolution changing the place of commencement of the meeting of City Council regularly scheduled to occur at 12:15 p.m., on November 6, 2000, in the City Council Chamber, 215 Church Avenue, S. W., to the Emergency Operations Center Conference Room, first floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., and changing the time and place of the meeting of Council regularly scheduled to occur at 2:00 p.m., on November 6, 2000, in the City Council Chamber, 215 Church Avenue, S. W., to 3:00 p.m., in the Exhibit Hall, Roanoke Civic Center, 710 Williamson Road, N. W., in the City of Roanoke:

(#35106-101600) A RESOLUTION changing certain times and places of commencement of regular meetings of City Council scheduled to be held on Monday, November 6, 2000.

(For full text of Resolution, see Resolution Book No. 63, page 566.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35106-101600. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

COUNCIL: Council Member Bestpitch commended Roanoke County for hosting the first Roanoke Valley Social which was held on Saturday, October 7, 2000, at Explore Park, and requested that the City of Roanoke take the initiative to reciprocate in the near future.

POLICE DEPARTMENT-COUNCIL-YOUTH: Council Member Wyatt commended officers of the Police Mounted Patrol Unit who recently met with students from Westside Elementary School. She advised that their participation speaks well of the Police Department and its efforts to go above and beyond the call of duty to be of assistance to Roanoke’s citizens, regardless of their age.

OATHS OF OFFICE-COMMITTEES-TOWING CONTRACT: Pursuant to Ordinance No. 34843-060500, adopted by Council on Monday, June 5, 2000, which provides for creation of a Towing Advisory Board, the Mayor opened the floor for nominations.

Mr. Harris placed in nomination the names of Charles R. Brown, William F. Clark, Robert R. Young, Christine Proffitt, Charles A. Karr, Patrick B. Shumate, Ronald L. Wade, Thomas A. Wood, and Mrs. Clovis Rogers.

There being no further nominations, Messrs. Brown, Clark, Young, Karr, Shumate, Wade, and Wood, and Ms. Rogers and Ms. Proffitt were appointed as members of the Towing Advisory Board, by the following vote:

FOR MESSRS. BROWN, CLARK, YOUNG, KARR, SHUMATE, WADE, AND WOOD, AND MS. ROGERS AND MS. PROFFITT: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

ACTION:

Inasmuch as Messrs. Brown, Clark and Wood are not residents of the City of Roanoke, Mr. Harris moved that the City residency requirement for persons serving on authorities, boards, commissions and committees appointed by the Council be waived in this specific instance. The motion was seconded by Mr. Hudson and adopted.

OATHS OF OFFICE-COMMITTEES-FIRE DEPARTMENT: The Mayor advised that there is a vacancy on the Board of Fire Appeals, and called for nominations to fill the vacancy.

Mr. Bestpitch placed in nomination the name of Mark K. Cathey.

There being no further nominations, Mr. Cathey was appointed as a member of the Board of Fire Appeals for a term ending June 30, 2004, by the following vote:

FOR MR. CATHEY: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

OATHS OF OFFICE-COMMITTEES-YOUTH: The Mayor called attention to vacancies on the Youth Services Citizen Board, and opened the floor for nominations to fill the vacancies.

Ms. Wyatt placed in nomination the names of John Lewis and Jenna Decker.

Mr. Hudson placed in nomination the name of F. B. Webster Day.

There being no further nominations, Messrs. Lewis and Day and Ms. Decker were reappointed/appointed as members of the Youth Services Citizen Board, for terms ending May 31, 2003, by the following vote:

FOR MESSRS. LEWIS AND DAY AND MS. DECKER: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

OATHS OF OFFICE-COMMITTEES-BUILDINGS/BUILDING DEPARTMENT: The Mayor advised that there is a vacancy on the New Construction Code, Board of Appeals, for a term ending September 30, 2005, and called for nominations to fill the vacancy.

Mr. Bestpitch placed in nomination the name of Reginald P. Church.

There being no further nominations, Mr. Church was appointed as a member of the New Construction Code, Board of Appeals, for a term ending September 30, 2005, by the following vote:

FOR MR. CHURCH: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

OATHS OF OFFICE-COMMITTEES-ROANOKE CIVIC CENTER: The Mayor advised that there are vacancies on the Roanoke Civic Center Commission for terms ending September 30, 2003, and called for nominations to fill the vacancies.

Mr. Hudson placed in nomination the names of Calvin Johnson, Edward L. Lambert and Thomas G. Powers, Jr.

There being no further nominations, Messrs. Johnson, Lambert and Powers were appointed as members of the Roanoke Civic Center Commission for terms ending September 30, 2003, by the following vote:

FOR MESSRS. JOHNSON, LAMBERT AND POWERS: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt and Mayor Smith-----7.

OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

The Mayor advised that Council sets this time as a priority for citizens to be heard and a time for Council to listen; and matters requiring referral to the City Manager will be referred without objection, immediately, for any necessary and appropriate response, recommendation or report to Council.

CITY COUNCIL-CITY GOVERNMENT: Mr. Martin Jeffrey, 517 Rutherford Avenue, N. W., advised that as a taxpayer of Roanoke, he has decided to participate in his City government, which says that it values citizen participation. He further advised that his participation will be on behalf of those citizens who, for various reasons, cannot attend afternoon City Council sessions to raise legitimate questions, issues and concerns which deserve a response by Council. He expressed concern regarding the limited amount of time allotted to citizens to make their comments/presentations before Council.

At 5:30 p.m., the Mayor declared the meeting in recess.

At 6:15 p.m., the meeting reconvened in the Governor's School Lecture Hall, Patrick Henry High School, 2102 Grandis Road, S. W., with Mayor Smith presiding and all Members of the Council in attendance, except Council Member Hudson, who left the meeting during the Closed Session.

ACTION:

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Carder moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, White, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson left the meeting during the Closed Session.)

COMMUNITY PLANNING-ROANOKE VISION, COMPREHENSIVE DEVELOPMENT PLAN: It was the consensus of Council that the following persons would be appointed as members of the Citizens Advisory Committee for Vision 2001, with four additional members to be appointed at a future Council meeting: Walter Rugaber, Brenda L. McDaniel, Carolyn Coles, Frederick M. Williams, Carl D. Cooper, Steve Lemon, Paula L. Prince, Talfourd H. Kemper, Jr., Kevin A. Deck, Matthew

Kennel, Dan Smith, Elvah D. Taylor, Mary C. Knapp, Tom Pettigrew, Daniel E. Karnes, Susan L. Willis, Jeanne H. Pedigo, Patrick N. Shaffner, J. Lee E. Osborne, Pearl Fu, John P. Bradshaw, Jr., David W. Davis, III, Beth Doughty, James M. Turner, Jr., Kevin Kays, Jonathan K. Wolfe, Jeannette Manns, Erin Garvin, Mark McConnel, Brian M. Shepard, Christopher Froeschl, Christene C. Proffitt, Stephanie Scott, Evelyn D. Bethel, George Kegley, Brian Gottstein, Richard Dearing and Eddie Wallace.

At 6:20 p.m., the Mayor declared the meeting in recess to be reconvened at 7:00 p.m.

On Monday, October 16, 2000, at 7:00 p.m., the Roanoke City Council reconvened in regular session at the Governor's School Lecture Hall, Patrick Henry High School, 2102 Grandis Road, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members William D. Bestpitch, William H. Carder, C. Nelson Harris, W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERSPRESENT: Darlene L. Burcham, City Manager; James D. Ritchie, Sr., Assistant City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by Council Member Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Boy Scout Troop No. 8, Raleigh Court United Methodist Church.

HEARING OF CITIZENS:

POLICE DEPARTMENT-COMPLAINTS: Mr. Wayne Jones, 127 Patton Avenue, N. W., addressed the issue of alleged police misconduct, which instances will continue to be brought to the attention of Council

until Council recognizes the need for a citizen review panel. He inquired as to why the three citizens who have completed the Police Academy have not been called upon to hear issues involving citizens and the police department. He stated that problems between citizens and the police department should not be allowed to get out of control; therefore, the Mayor, City Council, the City Manager, the Assistant City Manager and the Chief of Police will be held accountable by citizens for actions by the police department.

Mr. Martin Jeffrey, 517 Rutherford Avenue, N. W., addressed Council with regard to the James Minor motorcycle accident in which Mr. Minor lost his life during an alleged police pursuit. He advised that there are other witnesses to the police chase who will testify that they observed police cruisers following Mr. Minor to the 1100 block of Hanover Avenue where he met his death and there are other inconsistencies in testimony that witnesses will share with the appropriate body. He called attention to a recommendation by the City Manager regarding the appointment of a citizen review panel and requested that the panel, which will consist of police officers and citizens, be activated to review all information regarding the James Minor accident to insure that there has been an objective review of all circumstances surrounding Mr. Minor's death.

Without objection by Council, the Mayor advised that the remarks of Mr. Jones and Mr. Jeffrey would be referred to the City Manager.

AFFIRMATIVE ACTION: A request of Ms. Freda Cathcart and Ms. Nanette Borling to address the issue of sexual orientation/discrimination, was before Council.

Ms. Borling withdrew her request to speak and Ms. Cathcart advised that her remarks would be placed in writing and forwarded to Council at a later date.

PUBLIC HEARINGS:

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, October 16, 2000, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Madison Health Care Center, that approximately 10.384 acres of land located at 4415

Pheasant Ridge Road, S. W., identified as Official Tax No. 5460101, be rezoned from C-1, Office District, to LM, Light Manufacturing District, subject to certain conditions proffered by the petitioner, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 29 and Friday, October 6, 2000.

(See publisher's affidavit on file in the City Clerk's Office.)

A communication from Richard L. Jones, Jr., Spokesperson, requesting that the public hearing be continued until the regular meeting of Council on Monday, November 20, 2000, at 7:00 p.m., was also before the body.

(For full text, see communication on file in the City Clerk's Office.)

ACTION:

Without objection by Council, the Mayor advised that the public hearing would be continued until the regular meeting of Council on Monday, November 20, 2000, at 7:00 p.m., at the Governor's School Lecture Hall, Patrick Henry High School, 2102 Grandis Road, S. W., City of Roanoke, Virginia.

ZONING-CITY CODE: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, October 16, 2000, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Adam J. Cohen, to amend Section 36.1-25, Definitions, of the Code of the City of Roanoke (1979), as amended, to include a definition for a single-family attached dwelling; and that Section 36.1-127, special exception uses in the RM-2, Residential Multi-family, Medium Density District, and Section 36.1-186, special exception uses in the C-1, Office District, be amended to permit single-family attached dwellings by special exception, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 29, and Friday, October 6, 2000.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the City Planning Commission advising that rather than proceed to City Council with an unfavorable recommendation, Mr. Cohen chose to amend his petition; the revised petition requests an amendment to the City's zoning code to create a new definition for single-family attached dwellings, with such dwellings permitted by special exception in the RM-2, Residential Multifamily, Medium Density District, and the C-1 Office District, was before the body.

The City Planning Commission recommended that no change be made to the existing zoning code, and advised that existing code provisions support housing recommendations as set forth in the City's Comprehensive Plan.

(For full text, see report on file in the City Clerk's Office.)

ACTION:

Due to an advertising technicality, the Mayor advised that the public hearing would be continued until the regular meeting of Council on Monday, November 20, 2000, at 7:00 p.m., at the Governor's School Lecture Hall, Patrick Henry High School.

STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, October 16, 2000, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Magic City Branch #524 National Association of Letter Carriers, that a certain alley extending from 10th Street, N. E., to 11th Street, described as Block 7, Fairmount Map, being parallel to and between Georgia Avenue and Connecticut Avenue, be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 29, and Friday, October 6, 2000.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the City Planning Commission advising that Magic City Branch #524 National Association of Letter Carriers owns and operates a union lodge facility at 1015 Georgia Avenue, N. E.; the applicant has also filed a separate application to vacate, discontinue and close a certain 285 foot section of Georgia Avenue, N. E., that extends between Blocks 6 and 7; the above-described undeveloped alley, as requested

for vacation and closure in the application, extends from 10th Street to 11th Street, N. E., through the center of Block 7, and is located approximately 130 feet to the east of this 285 foot section of Georgia Avenue; and the applicant owns all of the properties abutting upon the east side of the alley.

The City Planning Commission recommended that Council approve the request to close, discontinue and permanently vacate the

above described undeveloped public alley, subject to certain conditions as more fully set forth in the report.

(For full text, see report on file in the City Clerk's Office.)

ACTION:

Mr. Harris moved that the following ordinance be placed upon its first reading:

(#35107) AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter.

The motion was seconded by Mr. Carder.

Edward A. Natt, Attorney, appeared before Council in support of the request of his client.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter. There being none, Ordinance No. 35107 was adopted, on its first reading, by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

Without objection by Council, the Mayor advised that the public hearing would be closed.

STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, October 16, 2000, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Magic City Branch #524 National Association of Letter Carriers that a portion of Georgia Avenue, N. E., extending in an easterly direction from 10th Street for a distance of 285 feet to a point approximately 100 feet from the intersection of 11th Street, be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 29, and Friday, October 6, 2000.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the City Planning Commission advising that the applicant is requesting that this small paved section of Georgia Avenue be closed, discontinued and permanently vacated to allow the owner to control access to the property that surrounds both sides of the subject street section and to prevent the use of this street right-of-way for other purposes.

The City Planning Commission recommended that Council approve the request, subject to certain conditions as more fully set forth in the report.

(For full text, see report on file in the City Clerk's Office.)

ACTION:

Mr. Harris moved that the following ordinance be placed upon its first reading:

(#35108) AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter.

The motion was seconded by Mr. Carder.

Edward A. Natt, Attorney, appeared before Council in support of the request of his client.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter. There being none, Ordinance No. 35108 was adopted, on its first reading, by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

Without objection by Council, the Mayor advised that the public hearing would be closed.

BONDS/BOND ISSUES-SCHOOLS: Pursuant to instructions by Council, the City Clerk having advertised a public hearing for Monday, October 16, 2000, at 7:00 p.m., or as soon thereafter as the matter may be heard, to consider adoption of a resolution, or resolutions, approving issuance by the City of its general obligation bonds, in an amount estimated not to exceed \$1,291,618.00, for the purpose of financing certain rehabilitations, repairs and equipment for the Roanoke Academy for Mathematics and Science, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 29, and Friday, October 6, 2000.

(See publisher's affidavit on file in the City Clerk's Office.)

ACTION:

The Mayor inquired if there were persons present who would like to address Council in connection with the matter.

There being none, the Mayor declared the public hearing closed.

CITY CODE-ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, October 16, 2000, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke, to consider an amendment to Section 36.1-693, Notice of hearing, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to provide for certain forms of notification to owners of property which is subject to a rezoning, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 29, 2000, and Friday, October 6, 2000.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the City Planning Commission advising that a massive rezoning of over 1,100 properties in Greater Raleigh Court was undertaken by the City Planning Commission in December, 1999, which required the individual posting of each property that was proposed for

rezoning; the posting, or notice of hearing by the City Planning Commission, was required by the City's Zoning Ordinance, but such posting is not required by State law, and is in addition to the individual mailing notice to property owners and legal advertising requirements (two ads) that are required by State law; the posting activity in Greater Raleigh Court required several days work for approximately 15 City staff in preparing and placing notices on the subject properties; future rezonings of similar size may occur in the future to correct zoning and land use patterns in accordance with prepared neighborhood plans; and in an effort to modify this labor intensive effort to one that is easier to implement, the City Planning Commission considered a request to amend the City's Zoning Ordinance, was before Council.

The City Planning Commission recommended that Council approve a proposed Zoning Ordinance amendment, which revised provision will continue to provide for posting of properties for public hearings before the Planning Commission; and if there are 25 or fewer properties involved, each property would be posted, however, if more than 25 properties are involved, signs would be posted at street intersections, at least one per the affected block(s), notifying the public of the hearing, which notices are in addition to written notification to all affected property owners and two legal advertisements as required by State law.

(For full text, see report on file in the City Clerk's Office.)

ACTION:

Mr. Harris moved that the following ordinance be placed upon its first reading:

(#35109) AN ORDINANCE amending §36.1-693, Notice of hearing, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, to clarify notice requirements.

The motion was seconded by Mr. Hudson.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter; whereupon, Mr. Martin Jeffrey, 517 Rutherford Avenue, N. W., advised that the Zoning Ordinance should remain in its present form and Council should take more time to study the proposed amendment. He encouraged that citizens obtain more information regarding the purpose of the proposed

amendment because it could have a serious impact on City neighborhoods in the future.

Ordinance No. 35109, on its first reading, was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

Without objection by Council, the Mayor advised that the public hearing would be closed.

CITY CODE-ZONING-SIGNS/BILLBOARDS/AWNINGS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, October 16, 2000, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke, to consider amendment to Section 36.1-25, Definitions, of Article II, Construction of Language and definitions, and Section 36.1-445, Additional Sign Regulations, of Article IV, Supplementary Regulations, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to clarify and provide appropriate spatial requirements for outdoor advertising signs, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 29, 2000, and Friday, October 6, 2000.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the City Planning Commission advising that the City receives numerous complaints from neighborhood leaders and citizens in general concerning outdoor advertising signs (billboards) along, and adjacent to, major streets and gateway entrances into the City; Section 36.1-445 of the Code of the City of Roanoke (1979), as amended, currently provides that outdoor advertising cannot be located within 250 feet of a residential district or within 250 feet from another such sign on the same side of the street; and Section 36.1-414 further provides for

determining how distances between uses are to be calculated, was before Council.

It was further advised that on April 13, 2000, the Circuit Court for the City of Roanoke reversed a May 4, 1999, ruling of the Roanoke City Board of Zoning Appeals, in which the Board upheld the Zoning Administrator's decision that the spatial requirements for outdoor advertising signs shall be measured from the property lines of the lots on which the billboards are to be erected; the Circuit Court, basing its opinion on the language of Section 36.1-445 (a) (3) of the City Code, held that the distance between billboards must be measured between the billboards themselves and not the property lines of the lots on which they are erected; and consequently, amendments to Section 36.1-25, Definitions, of Article II, Construction of language and definitions, and Section 36.1-445, Additional Sign Regulations are needed.

It was explained that amendments are proposed for the purpose of providing additional clarification on the method and manner in which the spatial requirements for outdoor advertising signs will be measured and regulated by the City in the future; amendments will provide for a reasonable increase in the distances required between outdoor advertising signs and zoning boundaries of the City's residential districts from 250 feet to 500 feet, however, existing billboards are grandfathered and may continue to be 250 feet from a residential district; and as a means of protecting and maintaining the existing aesthetic and scenic values along major streets, thoroughfares and gateways into the City, the proposed amendments will prohibit the installation of any outdoor advertising sign, within a distance of 500 feet of any location where a municipal corporation boundary is intersected by an arterial or collector street.

The City Planning Commission recommended that Council approve the proposed amendments to Section 36.1-25, Definitions, of Article II, Construction of language and definitions, and subsections (a) (1) and (a) (3), of Section 36.1-445, Additional Sign Regulations, Article IV, Supplemental Regulations, of the Code of the City of Roanoke (1979), as amended.

(For full text, see report on file in the City Clerk's Office.)

ACTION:

Mr. Harris moved that the following ordinance be placed upon its first reading:

AN ORDINANCE amending and reordaining §36.1-25, Definitions, of Article II, Construction of Language and definitions; and subsection (a) of §36.1-445, additional sign regulations, of Article IV, Supplementary Regulations, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, to clarify and provide appropriate spatial requirements for outdoor advertising signs.

The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons present who would like to address Council.

Brian Mullins, Operations Manager, Lamar Advertising, advised that it is his responsibility to insure that billboards are kept safe and pleasing in appearance and Lamar Advertising has invested a considerable sum of money for that purpose, having expended over \$3 million in capital funds during the past three years. He asked that Council refer the proposed amendments back to the City Planning Commission for further review.

Roger Ellmore, Executive Director, Virginia's Explore Park, advised that Explore Park has outdoor advertising in Roanoke and in other parts of the state; outdoor advertising is a useful tool in providing needed information to the traveling public, as well as to local residents, and Explore Park has benefitted from the use of outdoor advertising and the generosity of the advertising industry. He stated that regulations are needed and he supports reasonable and fair restrictions; however, the advertising industry should not be regulated out of business because it serves a valuable function in the community.

Keith Austin, General Manager, Lamar Advertising of Roanoke, advised that the proposed amendments are considered by the sign industry to be major, not minor in nature, as previously stated by the Director of Community Planning. He stated that it is difficult to equate the word minor with the doubling of required distance--a change of 250 feet between signs to an arbitrary spacing requiring an entire lot or more between lots containing billboards, and the establishment of a no billboard zone at commercial entrances where there was no previous

requirement. He further stated that billboard structures are declining and not proliferating, the City and Lamar Advertising alone has lost 18 structures in nine years versus building six, for a net loss of 12. He added that the proposed amendments equate to a faster return or decline in numbers due to creation of more non conforming expectations of billboards and eventual attrition. He advised that City Code and State Code statutes have resulted in fewer billboards today and no new billboards have been constructed outside of the commercial environment in Roanoke City. He stated that he was unable

to find an ordinance adopted by any other municipality in Virginia containing lot line spacing language, as is proposed by the City of Roanoke.

Mr. Garland Kitts, 1545 Patrick Road, S. W., advised that the proposed amendments require that signs be measured using difficult to understand formula which causes inequities concerning land use and property rights, etc. He stated that he has contacted all of the Lamar Advertising locations in North Carolina, West Virginia, Kentucky and Tennessee and none are required to use a spacing requirement that has any similarity to the one proposed by Roanoke City. He advised that in regard to spacing in residential districts, he researched 28 cities across the United States and the average is 139 feet; and while City staff has indicated that they are not trying to get rid of billboards, a requirement of 500 feet from residential zoning will eventually severely impact the ability to offer billboard advertising to the business community. He noted that outdoor advertising has existed for over 100 years and it is not in the best interest of the community to regulate the industry out of business.

Ms. Terri Beck, 1114 Howbert Avenue, S. W., representing the Wasena Neighborhood Forum, advised that new billboards should not be placed within residential areas of the City; however, the proposed amendments appear to be unrealistic because the billboard industry will be eliminated through attrition. She further advised that the Wasena Neighborhood Forum has worked with Lamar Advertising for the past six years in advertising its annual 5K race which is the fund raiser for the neighborhood organization and because the race has become the largest 5K race in Roanoke, its success is, in large measure, due to billboard advertising. She requested that Council give further consideration to the proposed amendments because neighborhood groups and local businesses need the type of advertising provided by billboards.

Mr. Cliff Shepherd, 3820 Bosworth Drive, S. W., advised that these businesses using billboards believe that billboards are an integral part of their advertising budget. He stated that Roanoke is turning more toward pro-business, advertising is good for business, and those persons locating their business in the bio-med center will want to use billboard advertising. He encouraged more concentration by the City on productive efforts in lieu of wasting time on mundane issues.

Randy Hodges, representing Hodges Sign Company, 1601 Seibel Drive, N. E., advised that he manufactures electrical on premise signs and outdoor advertising signs and he has three signs currently located in the City of Roanoke. He inquired as to why there is an immediate problem with billboards – is it because of complaints by citizens or because of a staff induced situation as a result of a court case that was over turned due to interpretation by City staff. He stated that he has been in the billboard business since 1979 and approximately 12 - 15 new sign structures have been installed since that time, which is an average of one half sign structure per year. He requested that Council deny approval of the proposed amendments which will adversely effect the billboard industry.

Steven Davis, Vice-President of Advertising, Grand Home Interiors, advised that Roanoke's economy has changed from industrial based to service based, with retail businesses being the primary employer; retail businesses rely on all forms of advertising to sustain themselves and thus provide employment; and for larger retailers, outdoor advertising is essential to marketing efforts. He stated that there is no question that billboards, like any structure, need restrictions, and there are areas of the City where billboards are inappropriate. He added that current regulations governing outdoor advertising appear to be sufficient in that billboards remain primarily in commercial areas and there has been no expansion of billboards in recent years. He advised that Grand Home Interiors would encourage that any new restrictions be objective and take into consideration the needs of the Roanoke Valley's principal employers, the retail community.

Mr. Harris withdrew the motion and Mr. Carder withdrew the second.

Mr. Harris advised that the recommendation of the City Planning Commission was submitted to Council on a divided vote; therefore, it would be appropriate to refer the matter back to the City Planning Commission and to City Planning staff with the request that they meet with representatives of the sign/billboard industry to reach a consensus that would be satisfactory to the City Planning Commission and to representatives of the sign/billboard industry.

Mr. Harris moved that the matter be referred back to the City Planning Commission for further study, report and recommendation to Council. The motion was seconded by Mr. Hudson and adopted.

Without objection by Council, the Mayor advised that the public hearing would be closed.

STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, October 16, 2000, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke that a certain portion of First Street, N. W., between Shenandoah Avenue and Centre Avenue, be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 29, 2000, and Friday, October 6, 2000.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the City Planning Commission advising that during the past 12 months, the City of Roanoke and the Roanoke Redevelopment and Housing Authority (RRHA) have filed several applications to close and vacate certain sections of public street and alley rights-of-way in the Greater Gainsboro community, which were part of a long range planning process of the City to effect certain specific improvements in the Greater Gainsboro area; on July 20, 2000, the Planning Commission reviewed and concurred in a staff report recommending that the City's request to alter, by barricade, First Street between Shenandoah Avenue and Centre Avenue, N. W., be approved; and Council subsequently adopted an ordinance on August 21, 2000, officially altering by barricade, the described section of First Street, N. W.; to vehicular traffic which was a necessary and essential step in providing for the redesign and conversion of the street right-of-way for future use as a pedestrian plaza, was before Council.

It was further advised that the application is a request to permanently vacate a smaller area of the public right-of-way that lies within the described section of First Street, N. W., that was previously altered by barricade and closed to vehicular traffic; the purpose of the

street vacation is to provide a small, but necessary area of additional land for the future construction of a projecting or overlapping part of a proposed parking garage that will be located on the easterly side of the proposed pedestrian plaza; and the street vacation will facilitate the needs of certain phased development activities within the Greater Gainsboro Redevelopment area, and is consistent with the intent of the City's Comprehensive Plan which encourages economic development opportunities in the downtown and its environs.

The City Planning Commission recommended that Council approve the request, subject to certain conditions as more fully set forth in the report.

(For full text, see report on file in the City Clerk's Office.)

ACTION:

Mr. Harris moved that the following ordinance be placed upon its first reading:

(#35110) AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter.

The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter. There being none, Ordinance No. 35110 was adopted, on its first reading, by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

Without objection by Council, the Mayor advised that the public hearing would be closed.

CITY NURSING HOME-CITY PROPERTY-LEASES-WATER RESOURCES: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, October 16, 2000, at 7:00 p.m., or as soon

thereafter as the matter may be heard, on the request of the City of Roanoke to renew an existing lease of City property located northwest of the former City Nursing Home at Coyner Springs, with the existing tenants, Ned B. and Richard B. Jeter, for farming of the land, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, October 8, 2000.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the Water Resources Committee advising that the current lease with Richard B. and Ned B. Jeter has expired; and the Jeters, who have leased the tract of land since April 20, 1982, have requested that they be granted a five-year lease under essentially the same terms as their previous lease, was before the body.

(For full text, see report on file in the City Clerk's Office.)

ACTION:

Mr. Harris moved that the following ordinance be placed upon its first reading:

(#35111) AN ORDINANCE authorizing the proper City officials to enter into a lease agreement between the City and Richard B. and Ned B. Jeter, for use of a 7.41-acre tract of land for agricultural purposes, upon certain terms and conditions.

The motion was seconded by Ms. Wyatt.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter. There being none, Ordinance No. 35111 was adopted, on its first reading, by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

Without objection by Council, the Mayor advised that the public hearing would be closed.

CITY PROPERTY-LEASES-WATER RESOURCES: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, October 16, 2000, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke to lease City property located at 1015 Jamison Avenue, S. E., to the Southeast Action Forum, pursuant to the same terms and conditions as the previous lease at said location, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, October 8, 2000.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the Water Resources Committee advising that property located at 1015 Jamison Avenue, S. E., has been leased to the Southeast Action Forum, or its predecessor since 1980; the current lease has expired and the Southeast Action Forum has requested that it be granted a new five-year lease under the same terms as the previous lease, was before Council.

(For full text, see report on file in the City Clerk's Office.)

ACTION:

Mr. Harris moved that the following ordinance be placed upon its first reading:

(#35112) AN ORDINANCE authorizing the proper City officials to enter into a lease agreement between the City and Southeast Action Forum for the lease of City-owned property located at 1015 Jamison Avenue, S. E. (known as Old Fire Station #6), upon certain terms and conditions.

The motion was seconded by Mr. Bestpitch.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter. There being none, Ordinance No. 35112 was adopted, on its first reading, by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

Without objection by Council, the Mayor advised that the public hearing would be closed.

PURCHASE/SALE OF PROPERTY-CITY PROPERTY-WATER RESOURCES: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, October 16, 2000, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke, to sell surplus City-owned property located at the corner of Bullitt Avenue and Sixth Street, S. E., Official Tax No. 4013701, to the highest bidder, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, October 8, 2000.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the Water Resources Committee advising that the subject property is located at the corner of Bullitt Avenue and Sixth Street, S. E., and was acquired by the City in 1965; the property is located in a residential area (RM-2) and contains approximately 11,000 square feet; the lot has been assessed by the Office of Real Estate Valuation for \$10,000.00; and City policy requires surplus property to be advertised and sold to the highest bidder if the property can be used to construct a separate structure, was before Council.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following resolution:

(#35113-101600) A RESOLUTION declaring certain City-owned real estate, identified by Official Tax No. 4013701, to be surplus property and authorizing its advertisement for sale to the general public.

(For full text of Resolution, see Resolution Book No. 63, page .)

ACTION:

Mr. Harris moved the adoption of Resolution No. 35113-101600. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

Without objection by Council, the Mayor advised that the public hearing would be closed.

OTHER HEARINGS OF CITIZENS:

The Mayor advised that Council sets this time as a priority for citizens to speak and a time for Council to listen; and matters requiring referral to the City Manager will be referred, without objection, immediately, for any necessary and appropriate response, recommendation or report to Council.

ZONING-COMPLAINTS-NEIGHBORHOOD ORGANIZATIONS: The following persons addressed Council in connection with proposed expansion efforts by the Rescue Mission, 402 4th Street, S. E.:

**Cassandra Camillieri, 424 Bullitt Avenue, S. E.
Corrine Camillieri, 424 Bullitt Avenue, S. E.
John McGonigal, 706 Mintrose Avenue, S. E.
Debra Jewel, 502 5th Street, S. E.
Bobby Meadows, 416 Bullitt Avenue, S. E.
Christene Proffitt, 424 Bullitt Avenue, S. E.
Frank Spencer, 503 Bullitt Avenue, S. E.
Michael Scott, 502 5th Street, S. E.
Scott Blankenship, Fourth Street, S. E.
William Hartman, 617 Stewart Avenue, S. E.
Teresa Kidd, 314 8th Street, S. E.
Alexis Mandakis, 124 Riverdale Road, S. E.
Kathy Hill, 509 Arbor Avenue, S. E.
Dr. Tony Stavola, 1836 Greenwood Road, S. W.**

Concerns were expressed with regard to the following alleged conditions as a result of the operation of the Rescue Mission:

**Littering,
Personal safety of persons living in the area,
Drinking in public,**

**Defecating in public,
Disrespect for the neighborhood,
Southeast Roanoke is a forgotten part of the City,
Razing houses that are still viable and rezoning Southeast residential neighborhoods to construct an institutional facility that will have a detrimental and negative impact on the Belmont area and downtown Roanoke in general,
Increased crime,
The Rescue Mission is more of a liability to the neighborhood than an asset,
Southeast residents are concerned with regard to the declining state of the historic Belmont neighborhood,
The combined value of the dwellings that have been demolished in the Belmont neighborhood is approximately \$192,000.00,
Southeast residents believe that the expansion of the Rescue Mission is a “done deal” even if the neighborhood is in opposition,
Intoxicated persons walking throughout the neighborhood,
Drugs and prostitution; and
Harassment of area residents by vagrants for money and sex.**

Scott Blankenship, President, Rescue Mission Board of Directors, advised that the Rescue Mission has responded to the needs of the entire Roanoke Valley community since 1948 and the Mission has operated in its present location since 1973. He stated that the goal of the Rescue Mission is to address long term existing societal problems that are a part of any city or a neighborhood; expansion plans have been pending since 1989 and the Rescue Mission has not submitted a final plan to the City or to the City Planning Commission because it is striving to address the concerns of Southeast residents. He further stated that those concerns expressed by the above listed speakers have been addressed at three neighborhood walks and five neighborhood meetings and, with its consultant, the Rescue Mission is addressing those areas of concern that can be incorporated into the overall plan. He advised that the Rescue Mission employs 50 persons and 900 volunteers, and over 18,000 households in the Roanoke community support the goals and objectives of the Rescue Mission , and believe that those citizens served by the Rescue Mission are entitled to the same rights as every other citizen of the Roanoke area.

POLICE DEPARTMENT-COMPLAINTS: Ms. Margaret Patterson, 414 4th Street, S. W., addressed Council with regard to the City’s

investigation into the death of her nephew, James Minor, and advised that in light of certain alleged discrepancies in the police investigation, it is requested that the matter be referred to a Citizen's Review Panel for investigation, and that the following information be provided by the City of Roanoke to the Minor family:

- Copy of the investigative reports prepared by police officers;
- An account of the accident and the police pursuit;
- The emergency call and autopsy reports;
- All photographs of the scene of the accident and all other pertinent photographs;
- A report on the motorcycle which was involved in the accident;
- Names of all police officers involved in the case; and
- Copy of the report by Donald L. Stokes, witness to the accident.

POLICE DEPARTMENT-CMERP-EQUIPMENT: Mr. Carl Cooper, 2120 Carroll Avenue, N. W., commended the City of Roanoke on approving the Capital Maintenance and Equipment Replacement Program budget which included 24 video cameras to be installed in police vehicles. He suggested that once the video cameras are turned on by police officers, they should be activated throughout the entire police encounter.

POLICE DEPARTMENT-COMPLAINTS: Ms. Wanda Butler, 613 Milton Street, N. W., referred to alleged police misconduct when officers were called to her residence to investigate a domestic dispute.

POLICE DEPARTMENT-COMPLAINTS: Mr. Bryon Casey, 3741 Signal Hill Avenue, N. W., requested a copy of the video tape of the James Minor motorcycle accident. He questioned statements that a full investigation was conducted by the City's Police Department when the vehicle that was involved in the accident is presently located in the City of Salem and the motorcycle is located in the City of Roanoke. He alleged that the Police Department's witness did not have a valid driver's license or appropriate automobile insurance coverage on his vehicle, however, the individual was not charged by police officers for these violations.

At 8:50 p.m., the Mayor declared the meeting in recess until Monday, October 30, 2000, at 4:00 p.m., at which time the Members of Council and City staff will tour the Melrose/Rugby neighborhood.

The regular meeting of Roanoke City Council for Monday, October 16, 2000, which was declared in recess until October 30, 2000, reconvened on Monday, October 30, 2000, in the City Council's parking lot, located adjacent to the Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., for a tour of the Melrose/Rugby neighborhood, with Mayor Ralph K. Smith presiding.

PRESENT: Council Members William D. Bestpitch, William H. Carder, C. Nelson Harris, William White, Sr., and Mayor Ralph K. Smith-----5.

ABSENT: Council Members W. Alvin Hudson, Jr. and Linda F. Wyatt-----2.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; James D. Ritchie, Deputy City Manager; and Mary F. Parker, City Clerk.

NEIGHBORHOOD ORGANIZATIONS-COUNCIL: The bus departed from the parking lot adjacent to the Noel C. Taylor Municipal Building at 4:15 p.m., en route to the Eureka Park Recreation Center for a tour of the facilities.

Following the tour, neighborhood leaders and City staff divided into three groups to participate in a walking tour of the Melrose/Rugby neighborhood.

Following the neighborhood tour, delegation met at the Melrose/Rugby Community Center, 1730 Orange Avenue, N. W., for refreshments and informal discussion.

Issues/concerns that were identified include the following:

Examples of incompatible infill construction;

There is a development opportunity with the Heritage Acres property;

New sidewalks, curb and gutter projects are happening throughout the neighborhood;

There is a wide side street along Andrews road that encourages speeding and isolates neighbors from each other;

The area is served by three parks: Kennedy, Staunton and Eureka;

The Lick Run Greenway Corridor runs behind Heritage Acres;

Melrose Library on Salem Turnpike is difficult to reach by foot;

Certain alleys, curbs and porches are littered by bulk and brush;

There are zoning conflicts from the 2100 - 2500 blocks of Orange Avenue (C-2 - residential area);

A new satellite police office has been located on the corner of Lafayette Boulevard and Florida Avenue; and

Renovations are taking place at the Roanoke Academy for Mathematics and Science.

At 5:50 p.m., the bus returned to the parking lot adjacent to the Noel C. Taylor Municipal Building, at which time the Mayor declared the meeting adjourned.

A P P R O V E D

ATTEST:

**Mary F. Parker
City Clerk**

**Ralph K. Smith
Mayor**

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

June 18, 2001

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, June 18, 2001, at 2:00 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 35270-040201 adopted on April 2, 2001.

PRESENT: Council Members William D. Bestpitch, William H. Carder, C. Nelson Harris, W. Alvin Hudson, Jr., and Mayor Ralph K. Smith-----5.

ABSENT: Council Members William White, Sr., and Linda F. Wyatt-----2.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by The Reverend John S. Johnson, Director of Programs, Rescue Mission.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

PRESENTATIONS

PROCLAMATIONS: The Mayor presented a Proclamation declaring November 19 - 23, 2001, as The Week of the Family in the City of Roanoke.

(For full text, see Proclamation on file in the City Clerk's Office.)

ACTS OF ACKNOWLEDGEMENT-HOTEL ROANOKE CONFERENCE CENTER: Mr. Carder offered the following resolution recognizing the hard work, excellent leadership and exemplary performance of Deborah J. Moses, Executive Director of the Hotel Roanoke Conference Center Commission, in connection with litigation filed by the Commission and its efforts to resolve construction problems at the Hotel Roanoke Conference Center:

(#35393-061801) A RESOLUTION expressing appreciation and recognition of the work of Deborah J. Moses, Executive Director of the Hotel Roanoke Conference Center Commission.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Carder moved the adoption of Resolution No. 35393-061801. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

On behalf of the Members of Council, the Mayor presented a ceremonial copy of the above referenced measure to Ms. Moses.

PROCLAMATIONS: The Mayor presented a proclamation declaring Wednesday, June 27, 2001, as Mary Chrisholm Pickett Day in the City of Roanoke, and presented a copy of the proclamation to Ms. Pickett.

Inasmuch as Ms. Pickett holds the distinction of being the first woman elected to the Roanoke City Council, serving from September 1, 1953 to August 31, 1960, on behalf of the citizens of the City of Roanoke and the Members of Council, the Mayor presented her with a Key to the City.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. He called specific attention to three requests for Closed Meetings to discuss appointments to a specific committee; to discuss the performance of two Council-Appointed Officers; and to discuss personnel matters with regard to vacancies on various authorities, boards, commissions and committees appointed by Council.

MINUTES: Minutes of the regular meetings of Council held on Monday, June 4, 2001, were before the body.

(For full text, see Minutes on file in the City Clerk's Office.)

ACTION: Mr. Harris moved that the reading of the Minutes be dispensed with and that the Minutes be approved as recorded. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

COMMITTEES-CITY COUNCIL: A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by the Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended, was before the body.

(For full text, see communication on file in the City Clerk's Office.)

ACTION: Mr. Harris moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by the Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

COMMITTEES-CITY COUNCIL: A communication from Council Member William D. Bestpitch requesting that Council convene in a Closed Meeting to discuss appointments to a specific committee, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended, was before the body.

(For full text, see communication on file in the City Clerk's Office.)

ACTION: Mr. Harris moved that Council concur in the request of Council Member Bestpitch to convene in a Closed Meeting to discuss appointments to a specific committee, pursuant to Section 2.1-344 (A) (1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

CITY EMPLOYEES-CITY COUNCIL: A communication from Council Member C. Nelson Harris, Chair, City Council Personnel Committee, requesting that Council convene in a Closed Meeting to discuss a personnel matter with regard to the performance of two Council-Appointed Officers, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended, was before the body.

(For full text, see communication on file in the City Clerk's Office.)

ACTION: Mr. Harris moved that Council concur in the request to convene in a Closed Meeting to discuss a personnel matter with regard to the performance of two Council-Appointed Officers, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

MUNICIPAL AUDITOR-COMMITTEES-AUDIT COMMITTEE: Minutes of a meeting of the Audit Committee which was held on Monday, June 4, 2001, were before the body.

The following items were considered by the Audit Committee:

FINANCIAL RELATED AUDITS:

Records Management

Economic Development

Human Resources
Miscellaneous Taxes

UNFINISHED BUSINESS:

Update on Comprehensive Services Act (CSA)

NEW BUSINESS:

KPMG Audit plan - June 30, 2001

Briefing on Municipal Auditing 2002 Audit Plan

(For full text, see Minutes on file in the City Clerk's Office.)

ACTION: Mr. Harris moved that the Minutes be received and filed. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

MUNICIPAL AUDITOR: A communication from Robert H. Bird, Municipal Auditor, advising that he will retire from his position as Municipal Auditor, effective at the close of business on Friday, September 28, 2001, was before the body.

(For full text, see communication on file in the City Clerk's Office.)

ACTION: Mr. Harris moved that Council receive and file the communication and accept the notice of retirement. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

BUDGET-AMTRAK-RAIL SERVICE: A communication from David A. Bowers, Chair, Passenger Rail Service Committee, transmitting a portion of the Spring 2001 newsletter, "The Inside Track," published by the American Passenger Rail Coalition, and advising that the latest statistics indicate that Amtrak ridership and revenues continue to grow in the first half of fiscal year 2001, as they have for the last four

years, with over 11 million passengers riding Amtrak trains from October 2000 through March 2001; and Council will be requested to fund capital improvements to the old Norfolk Southern Passenger Station through Roanoke in the future, and support for that initiative will be appreciated, was before the body.

(For full text, see communication on file in the City Clerk's Office.)

ACTION: Mr. Harris moved that the communication be received and filed. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

Y.M.C.A.-CITY PROPERTY: A communication from the City Manager advising that the YMCA of Roanoke Valley, a non-profit organization, plans to build a new 40,000 square feet Central Branch YMCA to be located at 5th Street and Luck Avenue to accommodate the expanding number of programs and to replace the current outdated facility; construction of the new \$6.5 million facility is scheduled to begin no later than June 1, 2002; and the YMCA has made a formal offer to the City to enter into a collaborative agreement for partnering on the development and use of the new facility, was before Council.

It was further advised that the Agreement specifies that the City will provide a \$2 million grant toward construction of the indoor aquatic facility; annual equal payments will be made to the YMCA over a period of ten years, with the first payment of \$200,000.00 due by September 1, 2001, and funding for operational support will not be requested; to facilitate construction, a real estate swop will occur between the City and the YMCA, with the City to transfer title of Official Tax Nos. 1113419 and 1113418 (506 Church Avenue and the adjoining lot) to the YMCA; upon completion of construction of the new facility, the YMCA will transfer title of its current parking lot and facility, excluding the annex gymnasium, which adjoins the current Central Branch of the YMCA (425 Church Avenue), Official Tax Nos. 1011206, 1011209 and 1011210; the property received by the City may be valuable in addressing parking needs in the area; benefits for City residents will include a discount on the initial membership fee at all facilities owned or operated by the YMCA in the City of Roanoke, County of Roanoke, City of Salem, Town of Vinton and County of Botetourt; and the Department of Parks and Recreation will participate with the YMCA in a Program Committee to develop programs.

The City Manager recommended that Council authorize a public hearing to be held on July 2, 2001, for a real estate swop, and following the public hearing, authorize the City Manager to execute an Agreement, approved as to form by the City Attorney, with payment of \$200,000.00 due on September 1, 2001, to be appropriated with the approval of the Five Year Capital Improvement Program, and subsequent years payments shall be included in annual operating budgets subject to appropriation by Council as specified in the Agreement.

(For full text, see communication on file in the City Clerk's Office.)

ACTION: Mr. Harris moved that Council concur in the recommendation of the City Manager to hold a public hearing on Monday July 2, 2001, at 2:00 p.m., or as soon thereafter the matter may be heard, in the City Council Chamber. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

TAXES-ANNUAL REPORTS: A communication from the Honorable Ralph K. Smith, Mayor, transmitting correspondence dated June 8, 2001, from the Honorable Richard C. Pattisall, Chief Judge, Twenty-Third Judicial Circuit of Virginia, and a May 30, 2001, report from the Board of Equalization, advising that the Equalization Board received 67 appeals from property owners, plus discovered inaccuracies in another 13 vacant lots, with a total of 80 properties having been inspected; and recommending that future Equalization Boards continue to have access to computer service in their work, with separate office space from the Office of Real Estate Valuation, was before Council.

(For full text, see communications on file in the City Clerk's Office.)

ACTION: Mr. Harris moved that the communication be received and filed. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

HOUSING/AUTHORITY-OATHS OF OFFICE-COMMITTEES: A report of qualification of Nancy F. Canova as a member of the Fair Housing Board for a term ending March 31, 2004, was before Council.

(See Oath or Affirmation of Office on file in the City Clerk's Office.)

ACTION: Mr. Harris moved that the report of qualification be received and filed. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

REGULAR AGENDA

HEARING OF CITIZENS UPON PUBLIC MATTERS: None.

PETITIONS AND COMMUNICATIONS:

BUDGET CIRCUIT COURT-GRANTS: A communication from the Honorable Arthur B. Crush, III, Clerk of Circuit Court, advising that the Clerk of the Circuit Court is responsible, by statute, for the recordation of legal instruments, which include Land Records, Marriage Licenses, Financing Statements, Assumed Names, Wills and other Probate Records, and Law, Chancery and Criminal Orders, and records must be maintained and made available to the public; the Optical Character Recognition System, also known as the Records Management Indexing/Scanning System, currently being used to record the above-mentioned records can no longer facilitate the volume of records being scanned; there is a need for additional, compatible equipment that will allow several operators to perform like tasks simultaneously, which equipment is available through the Supreme Court of Virginia, at a cost of \$20,191.00; and funding in the amount of \$20,191.00 is available from the Compensation Board of Virginia-Technology Trust Fund, was before Council.

The Clerk of the Circuit Court recommended that Council authorize the City Manager to execute the requisite documents to obtain funds from the Compensation Board-Technology Trust Fund; and that the Director of Finance be authorized to establish a revenue estimate, in the amount of \$20,191.00, in the Grant Fund, with appropriate funding to the following expenditure account:

9005 Furniture and Equipment (>\$5,000.00)	\$20,191.00
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A communication from the City Manager concurring in the recommendation of the Clerk of Circuit Court, was also before Council.

(For full text, see communications on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35394-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35394-061801. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

Mr. Harris offered the following resolution:

(#35395-061801) A RESOLUTION authorizing the City Manager to execute the requisite grant agreement or documents necessary to accept a grant of funds from the Compensation Board-Technology Trust Fund in order to provide an upgrade of current Optical Character Recognition System in the Clerk of Court's Office.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35395-061801. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

BUDGET-SCHOOLS: A communication from the Roanoke City School Board requesting appropriation of funds to the following school accounts for fiscal year 2001-02, was before Council.

\$54,630.00 as a supplemental appropriation to the fiscal year 2001-02 School General Fund budget request approved by the School Board on March 6, 2001. The funds will be transferred from the City of Roanoke to the School General Fund. The additional City funds will be used for employee salary increases.

\$50,000.00 for the Comprehensive School Reform Demonstration Grant to provide for the replication of successful intervention programs from other school divisions at the school. Taylor Learning Academy will implement a basic skills program which includes staff development and remedial skills instruction. This continuing program is 100 per cent reimbursed by Federal funds.

\$7,500.00 for the Thurman Foundation for Children Grant to support the activities for the Partners for Success Program, which is designed to encourage college preparation of eighth grade students who show academic promise but would be unlikely to consider advanced studies without intervention. This is a continuing grant.

\$66,485.00 as an additional appropriation to provide funds for data cabling and networking at Fairview Elementary School. Funding for this project is provided from a Literary Fund loan approved for the project.

\$54,260.00 as an additional appropriation to provide funds for data cabling and networking at Fishburn Park Elementary School. Funding for this project is provided from a Literary Fund loan approved for the project.

A report of the Director of Finance recommending that Council concur in the request of the School Board, was also before the body.

(For full text, see communication and report on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35396-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 School Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35396-061801. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

Mr. Harris offered the following emergency budget ordinance:

(#35397-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 School and School Capital Projects Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35397-061801. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: None.

ITEMS RECOMMENDED FOR ACTION:

LANDMARKS/HISTORIC PRESERVATION-WATER RESOURCES: The City Manager submitted a communication advising that in 1976, the City of Roanoke approved a proposal from the Roanoke Valley Historical Society, the Roanoke Valley Bicentennial Commission, and citizen volunteers to renovate and refurbish the old Crystal Spring pumping station and its steam-powered pump as a historic preservation project and museum exhibit; the steam pump, manufactured by the Snow Pump Company of Buffalo, New York, is one of only two known steam pumps to exist today; the Crystal Spring Pumping Station served as the main water pumping plant for Crystal Spring from 1905 to 1959; and renovations to restore the building and pump were completed and for a period of several years, the pump station was open to the public as a museum exhibit.

It was further advised that the History Museum and the Historical Society of Western Virginia desires to reopen the museum as an exhibit for the public; the Historical Society has offered to staff the building and, through an endowment by Mr. David H. Burrows, provide educational materials and displays; and hours of operation are expected to be weekends, 2:00 to 5:00 p.m., and by special request.

The City Manager recommended that she be authorized to execute an Operating Services Agreement between the City of Roanoke and the History Museum and Historical Society of Western Virginia for a period of five years, with annual renewal options, and to take such further action as may be reasonably necessary to implement and administer the Agreement.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following resolution:

(#35398-061801) A RESOLUTION authorizing the execution of an Agreement between the City of Roanoke, Virginia, and the History Museum and Historical Society of Western Virginia (Society) providing for the operation of the old Crystal Spring Steam Pumping Station Museum by the Society, under certain terms and conditions; and authorizing the City Manager to take such further action as is necessary to implement and administer the terms of such Agreement.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35398-061801. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

BUDGET-SIGNALS AND ALARMS-TRANSPORTATION SAFETY-TRAFFIC: The City Manager submitted a communication advising that funds were established in the fiscal year 2000-01 budget, within the General Fund, for transportation projects; two projects, Airport Road Signals and Roadway Safety Improvements and Riverland Road/Bennington Street/Mount Pleasant Boulevard are in the property acquisition and design phase; and funds need to be appropriated to Capital Fund Project accounts for construction of the projects.

The City Manager recommended that Council authorize the following appropriations:

\$40,000.00 to Capital Projects Account Airport Road Signals, Account No. 008-052-9577-9003; and

\$55,000.00 to Capital Projects Account Road Safety Improvements – Riverland Road/Bennington Street/Mount Pleasant Boulevard, Account No. 008-052-9606-9003.

(For full text, see communication on file in the City Clerk’s Office.)

Mr. Carder offered the following emergency budget ordinance:

(#35399-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Carder moved the adoption of Ordinance No. 35399-061801. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

POLICE DEPARTMENT-BUDGET-GRANTS- EQUIPMENT: The City Manager submitted a communication advising that the Bulletproof Vest Partnership Grant Act of 2000, enacted by the 106th United States Congress, provides funds to eligible law enforcement agencies for the purchase of bulletproof vests; the grant program is managed by the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance; on May 16, 2001, the City of Roanoke was awarded \$14,515.00 to purchase new bulletproof vests, which will provide for procurement for 41 bulletproof vests; bulletproof vests are primary officer-safety equipment and all Roanoke Police sworn personnel are issued bulletproof vests; and grant funds will be used to purchase bulletproof vests in need of replacement and for issue to new police hires.

The City Manager recommended that Council accept the Bulletproof Vest Partnership Grant in the amount of \$14,515.00 and that the City Manager and the Chief of Police be authorized to execute any grant agreements related to such grant; that Council appropriate \$14,515.00 from Bulletproof Vest Partnership grant to certain accounts to be established by the Director of Finance, and increase revenue estimates in accounts also to be established by the Director of Finance.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35400-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35400-061801. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

Mr. Harris offered the following resolution:

(#35401-061801) A RESOLUTION authorizing the acceptance of a Bulletproof Vest Partnership Grant from the United States Department of Justice, and authorizing execution of any required documentation on behalf of the City.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35401-061801. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

BUDGET-HUMAN DEVELOPMENT-HOUSING/AUTHORITY/GRANTS: The City Manager submitted a communication advising that ESG funds are allocated under the Stewart B. McKinney Homeless Assistance Act and must be used to provide assistance to the homeless or to those at risk of becoming homeless; Council authorized filing an ESG application through submission of the Annual Update to the Consolidated Plan to the U. S. Department of Housing and Urban Development (HUD) for fiscal year 2001-02 on May 7, 2001, pursuant to Resolution No. 35319-050701; HUD's approval letter, granting the City access to its 2001-02 ESG entitlement of \$76,000.00 is completing the routine release process and is forthcoming; and acceptance of the entitlement and appropriation of funds to certain accounts is needed to allow projects to proceed.

The City Manager recommended that Council adopt a resolution accepting \$76,000.00 in 2001-02 ESG funds, contingent upon receipt of a letter of approval from HUD; that the City Manager be authorized to execute the required Grant Agreement, Funding Approval, and other forms required by HUD in order to accept the funds; and that Council appropriate \$76,000.00 entitlement to revenue and expenditure accounts in the Grant Fund to be established by the Director of Finance.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Carder offered the following emergency budget ordinance:

(#35402-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Carder moved the adoption of Ordinance No. 35402-061801. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

Mr. Harris offered the following resolution:

(#35403-061801) A RESOLUTION accepting the Fiscal year 2001-2002 funds for the Emergency Shelter Grant Program, and authorizing the City Manager to execute the requisite Grant Agreement with the United States Department of Housing and Urban Development (HUD).

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35403-061801. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

BUDGET-HOUSING/AUTHORITY-GRANTS: The City Manager submitted a communication advising that HOME is a housing assistance program of the U. S. Department of Housing and Urban Development (HUD); the City has received a HOME entitlement grant each year since fiscal year 1992 and must reapply annually to HUD to receive funds; and on May 7, 2001, Council authorized filing the 2001-2002 HOME application as a part of approving the submission of the Annual Update to the Consolidated Plan to HUD.

It was further advised that HUD's approval letter, granting the City access to its 2001-2002 HOME entitlement of \$753,000.00 is completing the routine release process and is forthcoming; acceptance of funds and appropriation to certain accounts is needed to permit projects to proceed; \$41,397.00 which were unexpended from earlier HOME accounts needs to be transferred; and acceptance of the 2001-2002 entitlement requires a local match of \$87,875.00, however, no outlays of City funds will be needed to meet the requirement.

The City Manager recommended that Council adopt a resolution accepting \$753,000.00 in 2001-2002 HOME funds, contingent upon receipt of an approval letter from HUD; that the City Manager be authorized to execute the required Grant Agreement, Funding Approval, and any other documents required by HUD in order to accept the funds; that Council appropriate \$753,000.00 to revenue and expenditure accounts in the Grant Fund to be established by the Director of Finance; and transfer \$41,397.00 in HOME accounts from prior years to projects included in the 2001-2002 HOME program.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:
(#35404-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35404-061801. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

Mr. Harris offered the following resolution:

(#35405-061801) A RESOLUTION accepting the Fiscal Year 2001-2002 funds for the HOME Investment Partnerships (HOME) Program, and authorizing the proper City officials to execute the requisite Grant Agreement with the United States Department of Housing and Urban Development (HUD).

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35405-061801. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

BUDGET-COMMUNITY PLANNING-GRANTS: The City Manager submitted a communication advising that Community Development Block Grant is a program of the U. S. Department of Housing and Urban Development (HUD) which offers assistance to the community in many ways; the City has received CDBG entitlement grants each year since inception of the program in 1974 and must submit an action plan annually to HUD to receive funding; and on May 7, 2001, pursuant to Resolution No. 35319-050701, Council authorized filing the 2001-2002 CDBG application through submission of the Annual Update of the Consolidated Plan to the U. S. Department of Housing and Urban Development for fiscal year 2001-2002.

It was further advised that HUD's routine release process is underway, and a HUD approval letter is forthcoming granting the City access to its 2001-2002 CDBG entitlement of \$2,239,000.00; in addition, \$655,000.00 which was unexpended from prior year accounts and \$170,704.00 in anticipated program income are also included in the appropriation for fiscal year 2001-2002 programs; and acceptance of the entitlement and appropriation of funds to certain accounts is needed to allow projects to proceed.

The City Manager recommended that Council take the following actions:

Adopt a resolution accepting the \$2,239,000.00 in 2001-2002 CDBG funds, contingent upon receipt of the approval letter from HUD.

Authorize the City Manager to execute the required Grant Agreement, Funding Approval, and other forms required by HUD in order to accept the funds.

Appropriate \$2,239,000.00 entitlement, and \$170,704.00 in anticipated program income to revenue and expenditure accounts in the Grant Fund to be established by the Director of Finance; and

Transfer \$655,000.00 in CDBG accounts from prior years to projects included in the 2001-2002 CDBG program.

(For full text, see communication on file in the City Clerk's Office.)

ACTION: Mr. Hudson moved that the following ordinance be placed upon its first reading.

(#35406-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Grant Fund Appropriations.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, and Mayor Smith-----4.

NAYS: None-----0.

In as much as his wife is employed by the YMCA and the measure involves appropriation of Federal funds to the organization, Mr. Bestpitch stated that the City Attorney has rendered the opinion that he must abstain from voting on the above referenced measure.

(Council Members White and Wyatt were absent.)

Mr. Carder offered the following resolution:

(#35407-061801) A RESOLUTION accepting the Fiscal Year 2001-2002 funds for the Community Development Block Grant program, and authorizing the City Manager to execute the requisite Grant Agreement with the United States Department of Housing and Urban Development (HUD).

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Carder moved the adoption of Resolution No. 35407-061801. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, and Mayor Smith-----4.

NAYS: None-----0.

(Council Member Bestpitch abstained from voting.)

(Council Members White and Wyatt were absent.)

BUDGET-HOUSING/AUTHORITY-COMMUNITY PLANNING-GRANTS: The City Manager submitted a communication advising that each year, the City submits a Consolidated Plan Annual Update (Annual Update) to the U. S. Department of Housing and Urban Development (HUD), in order to receive Community Development

Block Grant (CDBG) and HOME Investment Partnerships (HOME) entitlements; the Annual Update describes the individual programs to be conducted with funds awarded to the City; and substantial amendments to the Annual Update require a 30-day public comment period before a change can be implemented.

It was further advised that additional funding is needed to increase the amount of rehabilitation of substandard housing that might otherwise be demolished; a decrease in funds appropriated in the demolition project by \$75,000.00 will allow for the re-creation of two new projects: Code Enforcement/Rental Support and Residential and Code Enforcement/ Rental Support - Rental; the amendment will establish \$37,500.00 in each of the two projects; and inclusion of Code Enforcement/Rental Support allows for continuation of a program that assists with the elimination of slums and blighted conditions, as well as increases the number of safe, decent, affordable housing for low-income citizens.

The City Manager recommended that she be authorized to amend the 2000-2001 Consolidated Plan Annual Update, including the submission of necessary documents to HUD to reflect a decrease in funding of the Demolition project and include Code Enforcement/Rental Support - Residential and Code Enforcement/Rental Support - Rental Programs, following the public review and comment period, provided no compelling adverse public comments are received; and that Council authorize transfer of \$75,000.00 from Account No. 035-G01-0120-5108 (\$4,000.00) and Account No. 035-G00-0020-5108 (\$71,000.00) to accounts to be established by the Director of Finance for Code Enforcement/Rental Support - Residential, in the amount of \$37,500.00, and Code Enforcement/Rental Support - Rental, in the amount of \$37,500.00.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35408-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35408-061801. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

Mr. Carder offered the following resolution:

(#35409-061801) A RESOLUTION authorizing the City Manager to amend the Annual Update to the Consolidated Plan for FY 2000-2001, including the submission of necessary documents to the U. S. Department of Housing and Urban Development (HUD).

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Carder moved the adoption of Resolution No. 35409-061801. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

BONDS/BOND ISSUES-WATER RESOURCES: : The City Manager submitted a communication advising that the City of Roanoke was notified by the Commonwealth of Virginia Department of Health on May 2, 2000, that due to possible surface water influence, Crystal Spring could not be used as a water supply until the water was treated for potential surface contaminants which has caused a loss of three to four million gallons of water per day in the potable water supply of the City of Roanoke.

It was further advised that a preliminary engineering study determined the most feasible method to treat Crystal Spring water was a membrane filtration system; the project consultant, Wiley & Wilson, Inc., has requested additional compensation to moniter pilot testing of the membrane filtration equipment, and design of approximately 4,100 square feet of office space within the proposed water plant building office space will permit approximately 15 Utility Department personnel currently working at other multiple locations to be housed in one facility; and the proposed additional work will add \$63,000.00 to the base contract of \$500,000.00.

The City Manager recommended that she be authorized to execute Amendment No. 2 to the contract with Wiley & Wilson, Inc., in the amount of

\$63,000.00 for additional design services for the Crystal Spring Water Treatment Plant; that Council appropriate \$20,000.00 from Water Fund Prior Year Retained Earnings to be transferred to Account No. 002-510-8395, Crystal Spring Filter Plant; and that Council adopt a resolution indicating the City's intent to reimburse itself from the proceeds of Series 2002 General Obligation bonds to be issued in the future.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Hudson offered the following emergency budget ordinance:

(#35410-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 General Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Hudson moved the adoption of Ordinance No. 35410-061801. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

Mr. Carder offered the following resolution:

(#35411-061801) A RESOLUTION declaring the City's intent to reimburse itself from the proceeds of its general obligation public improvement bonds for certain monies to be appropriated by the City for expenditures in connection with Amendment No. 2 to the Crystal Spring Water Treatment Plant Project; and providing for an effective date.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Carder moved the adoption of Resolution No. 35411-061801. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

Mr. Carder offered the following resolution:

(#35412-061801) A RESOLUTION authorizing the City Manager's issuance of Amendment No. 2 to the City's contract with Wiley & Wilson, Inc., to monitor the pilot testing of the membrane filtration equipment and the design of approximately 4,100 square feet of office space within the proposed water plant building for the Crystal Spring Water Treatment Plant Project.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Carder moved the adoption of Resolution No. 35412-061801. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

CITY CODE-TAXES-ENTERPRISE ZONE: The City Manager submitted a communication advising that on July 1, 1996, Council adopted Ordinance No. 33019-070196, which approved, adopted and established certain local incentives for the area designated as Enterprise Zone Two in the City and provided an effective date for the applicability of said incentives; on July 19, 1999, Council adopted Ordinance No. 34412-071999, which provided that certain local incentives available in Enterprise Zone Two would also be available within Enterprise Zone One, subject to approval by the Virginia Department of Housing and Community Development (DHCD); such local incentives included a tax exemption of certain rehabilitated or renovated commercial or industrial real property, however, local incentives were scheduled to end on June 30, 2001, unless extended by Council; DHCD has approved the application of local incentives to Enterprise Zone One; Chapter 32, Article II, Division 5A, of the Code of the City of Roanoke (1979), as amended, needs to be amended to make tax exemption available to real property within Enterprise Zone One; and the availability of local incentives, including tax exemption, for both Enterprise Zones One and Two need to be extended from June 30, 2001 to December 31, 2003.

It was further advised that in order to make tax exemption available for certain real property within Enterprise Zone One and to extend the availability of tax exemption in both Enterprise Zones One and Two, the above referenced portion of the City Code needs to be amended to continue economic incentives within both Enterprise Zones, in order to attract and/or retain businesses within the two Enterprise Zones; DHCD requires that localities offer local incentives to supplement incentives offered by the State for enterprise zones, or risk the possibility of losing

the designation of an enterprise zone; the City has done so with local incentives offered within Enterprise Zone Two when it was created in January, 1996, and by making applicable local incentives from Enterprise Zone Two available within Enterprise Zone One by the July 19, 1999, above referenced ordinance, those incentives are scheduled to expire on June 30, 2001, and need to be extended to December 31, 2003; and the December 31, 2003, date was selected since it is the date that designation for Enterprise Zone One will expire or need to be extended and any further action can take place at that time in connection with extension as the State may grant.

The City Manager recommended that Council amend Division 5A, Exemption of Certain Rehabilitated or Renovated Commercial or Real Property Located in Enterprise Zone Two, of Article II, Real Estate Taxes Generally, of Chapter 32, Taxation, of the Code of the City of Roanoke (1979), as amended, by amending the title of Division 5A. and §32-101.1, Generally, §32-101.3, Eligibility of Commercial or Industrial Real Property, and §32-101.5, Application, to allow real property located in the City's Enterprise Zone One to be included within Division 5A., and qualify for tax exemptions provided for by Division 5A; and to extend the applicable time period to December 31, 2003; and amend Ordinance No. 33019-070196, adopted by Council on July 19, 1996, which established certain local incentives for Enterprise Zone Two and Ordinance No. 34412-071999, adopted by Council on July 19, 1999, which made such local incentives apply to the City's Enterprise Zone One, by modifying both to provide that such local incentives for Enterprise Zones One and Two shall be applicable through December 31, 2003, and authorizing the City Manager to apply to the Virginia Department of Housing and Community Development for approval of such amendments and/or to take such further action as may be necessary to obtain or confirm said amendments.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency ordinance:

(#35413-061801) AN ORDINANCE amending and reordaining Division 5A, Exemption of Certain Rehabilitated or Renovated Commercial or Industrial Real Property Located in Enterprise Zone Two, of Article II, Real Estate Taxes Generally, of Chapter 32, Taxation, of the Code of the City of Roanoke (1979), as amended, by amending the title of Division 5A. and §32-101.1, Generally, §32-101.3, Eligibility of Commercial or Industrial Real Property, and §32-101.5, Application, to allow real property located in the City's Enterprise Zone One to be included within Division 5A., and qualify for tax exemptions provided for by Division 5A.; and to extend the applicable time period to December 31, 2003; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35413-061801. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

Mr. Harris offered the following emergency ordinance:

(#35414-061801) AN ORDINANCE amending Ordinance No. 33019-070196, adopted by City Council on July 1, 1996, which established certain local incentives for the area designated as Enterprise Zone Two in the City, by modifying it to provide that such local incentives be applicable for the period of July 1, 1996, through December 31, 2003; amending Ordinance No. 34412-071999, which made the above mentioned local incentives apply to the City's Enterprise Zone One as of July 19, 1999, by modifying it to provide that such local incentives for Enterprise Zone One shall be applicable for the period of July 19, 1999, through December 31, 2003; authorizing the City Manager to apply to the Virginia Department of Housing and Community Development (DHCD) for the approval of the above amendments and/or to take such further action as may be necessary to obtain or confirm those amendments; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35414-061801. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

BONDS/BOND ISSUES-BUDGET-CAPITAL IMPROVEMENTS PROGRAM: The City Manager submitted a communication advising that at Council's Financial

Planning Session on March 10 , 2001, staff briefed Council on the status of various capital projects; based on the results of the Financial Planning Session, a separate document has been provided in the form of an update to the City's Capital Improvement Program (CIP) for Fiscal Years 2002-2006; the CIP update reflects the current status of projects valued at \$116,682,311.00 that require Council's approval and/or funding; based on funding previously allocated to the projects, \$98,165,000.00 in additional funding is required; and not included in the CIP update document is additional funding of \$2,362,930.00, which is needed to complete projects previously approved by Council; a total of \$100,527,930.00 in funding is required to continue implementation of the new and previously approved CIP projects; and recommended sources of funding are as follows:

General Obligation Bond Issue during fiscal year 2002	\$56,245,000.00
Future General Obligation Bond Issue	36,870,000.00
Sale of Property	202,500.00
Water and Sewer Fund Retained Earnings	797,500.00
Transfers to Capital Projects	1,945,000.00
Undesignated Capital Funds	323,631.00
Capital Fund Interest Earnings	4,144,299.00
Total	\$100,527,930.00

The City Manager recommended that Council approve the following list of new Capital Projects requiring additional funding of \$72,165,000.00.

Art Museum/IMAX Theater	\$3,700,000.00
Crystal Spring Water Filtration Plant	5,445,000.00
Curb, Gutter and Sidewalk Program	5,000,000.00
Fire/EMS Facility Improvements	800,000.00
Greenways (Roanoke River Greenway)	1,000,000.00
High School Facility Improvements (Patrick Henry)	17,500,000.00
Neighborhood Storm Drain Program	2,000,000.00
New Police Building – Phase II	6,670,000.00
Parks Master Plan – Phase II	7,000,000.00
Roanoke Academy for Math and Science	4,600,000.00
Roanoke Passenger Station	1,250,000.00
Victory Stadium	16,200,000.00*
YMCA Aquatic Center	1,000,000.00
Total	\$72,165,000.00

***The total project cost is \$18 million -\$1,800,000.00 in funding and funding has been designated for the project, leaving a funding balance request of \$16,200,000.00.**

Authorize the City Clerk to advertise a public hearing on July 16, 2001, or at such other time as the City Manager may deem appropriate, to be held for the purpose of receiving input on the issuance of \$31,245,000.00 in General Obligation Bonds under the Public Finance Act, Section 15.2-2600 et. seq., Code of Virginia (1950), as amended, for the following projects:

Crystal Spring Water Filtration Plant	\$ 5,445,000.00
Curb, Gutter and Sidewalk Program	5,000,000.00
Roanoke Academy for Math and Science	4,600,000.00
Victory Stadium	16,200,000.00

Bond funds will supplement \$25,000,000.00 in General Obligation Bonds previously authorized by Council for the following projects:

Civic Center Renovations	\$ 3,000,000.00
Greater Gainsboro/Downtown North Improvements (Shenandoah Parking Garage)	2,500,000.00
Roanoke River Flood Reduction Project	7,500,000.00
South Jefferson Redevelopment Project	12,000,000.00

The total bond issue during Fiscal Year 2001-02 will be \$56,245,000.00.

Concur in the need for a future bond sale for \$36,870,000.00 to fund the following projects:

Art Museum/IMAX Theater	\$ 3,700,000.00
High School Facility Improvements	17,500,000 .00
Neighborhood Storm Drain Program	2,000,000 .00
New Police Building – Phase II	6,670,000 .00
Parks Master Plan – Phase II	7,000,000 .00

Appropriate \$1,200,000.00 in capital fund interest earnings into accounts established by the Director of Finance to the following new projects:

Fire/EMS Facility Improvement Program	\$ 800,000.00
Roanoke River Greenway	200,000.00
YMCA Aquatic Center	200,000.00

Appropriate \$2,362,930.00 to the respective capital project accounts established by the Director of Finance to the following projects previously approved by Council:

\$900,000.00 in the fiscal year 2000-01 Transfers to Capital Projects Account for the Victory Stadium project;

\$235,000.00 in the fiscal year 2001-02 Transfers to Capital Projects Account for Victory Stadium;

\$252,677.00 in Undesignated Capital Funds to the Railside Linear Walk project;

\$94,299.00 in Capital Fund Interest Earnings to the Railside Linear Walk project;

\$13,500.00 in Undesignated Capital Funds to the Warehouse Row Buildings project;

\$57,454.00 in Undesignated Capital Funds to the Buildings category in the Capital Improvement Reserve;

\$500,000.00 in the fiscal year 2001-02 Transfers to Capital Projects Account for the Curb, Gutter and Sidewalk project; and

\$310,000.00 in the fiscal year 2001-02 Transfers to Capital Projects Account for the Walnut Avenue Bridge project.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35415-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35415-061801. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

Mr. Bestpitch advised that his wife is employed by the YMCA and although the Capital Improvement Program includes funds for the YMCA, the City Attorney has rendered the opinion that he is not required to abstain from voting on the above referenced measure; however, in the interest of full disclosure, he would like for the record to reflect that his wife is an employee of the YMCA where she receives compensation in excess of \$10, 000.00 per annum.

(Council Members White and Wyatt were absent.)

Mr. Harris offered the following resolution:

(#35416-061801) A RESOLUTION endorsing the update to the Capital Improvement Program submitted by the City Manager and Director of Finance by report of June 18, 2001.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35416-061801. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

ACTION: Mr. Hudson moved that the City Clerk be authorized to advertize a public hearing for Monday, July 16, 2001, at 7:00 p.m. or as soon thereafter as the matter may be heard, in the City Council Chamber, to receive citizen input regarding issuance of \$31,245,000.00 in General Obligation Bonds under the Public Finance Act. The motion was seconded by Mr. Harris and adopted.

ACTION: Mr. Harris moved that Council concur in the need for a future bond sale in the amount of \$36,870,000.00. The motion was seconded by Mr. Hudson and adopted.

BUDGET-PARKS AND RECREATION-CMERP: The City Manager submitted a communication advising that on October 2, 2000, Council concurred in funding recommendations for the fiscal year 2000- 01 Capital Maintenance and Equipment Replacement Program (CMERP); CMERP is used to fund equipment purchases, maintenance and other one-time priority purchases; Council's approval is required for appropriation of funds from CMERP to various accounts to allow for replacement of various substandard and deteriorated park furnishings as needed to meet citizen requests for improved services to the community; and all acquisitions will be accomplished in accordance with the City's Procurement Policies, pursuant to Chapter 23.1, Code of the City of Roanoke, (1979), as amended.

(For full text, see communication on file in the City Clerk's Office.)

The City Manager recommended that Council approve appropriation of \$127,000.00 to the following departmental accounts:

\$112,330.00 to Parks and Grounds Maintenance Account No. 001-620-4340-9015.

\$14,670.00 to Parks and Grounds Maintenance Account No. 001-620-4340-2035.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35417-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 General Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35417-061801. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

BUDGET-HOUSING/AUTHORITY-YOUTH-GRANTS: The City Manager submitted a communication advising that the City of Roanoke continues to provide wholesome activity for the nutritional needs of children and youth during the summer months through the Office on Youth supervised Summer Nutrition Program; funds for the program, now in its eighth year, are provided through the United States Department of Agriculture Food and Nutrition Service; the program is similar in concept to the National School Lunch Program with eligibility requirements much like those used to determine eligibility for free or reduced priced meals during the school year; the purpose of the program is to provide nutritionally balanced healthy meals to children ages one through eighteen; adult summer staff manage the program and youth are hired to assist at the feeding locations, with the City reimbursed on a per meal basis; and local cash match, in the amount of \$15,000.00, was appropriated in the fiscal year 2001- 02 General Fund budget in Human Services Support, Account No. 001-630-1270-2010.

The City Manager recommended that she be authorized to accept the Federal funds in the amount of \$151,193.00 from the United States Department of Agriculture Food and Nutrition Service; that Council decrease fiscal year 2001-02 Human Services Support, Account No. 001-630-1270-2010 by \$15,000.00 and increase fiscal year 2001-02 budget estimate for Transfer to Grant Fund, Account No. 001-250-9310-9535 by \$15,000.00; transfer \$15,000.00 local cash match to the grant fund; and authorize the Director of Finance to establish a revenue estimate, in the amount of \$166,193.00, and appropriate funds to expenditure accounts.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35418-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 General Fund and Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35418-061801. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

Mr. Bestpitch advised that one of the feeding sites in the Summer Food Service Program is the YMCA Family Center, and his wife is employed by the YMCA; however, the City Attorney has rendered the opinion that he is not required to abstain from voting on the above referenced measure; however, in the interest of full disclosure, Mr. Bestpitch requested that the record reflect that his wife is employed by the YMCA where she is compensated in excess of \$10,000.00 per annum.

(Council Members White and Wyatt were absent.)

Mr. Harris offered the following resolution:

(#35419-061801) A RESOLUTION authorizing acceptance of reimbursement from the United States Department of Agriculture Food and Nutrition Service on behalf of the City for program costs for the implementation of the summer program, and authorizing execution of any and all necessary documents to comply with the terms and conditions of the grant and applicable laws, regulations, and requirements pertaining thereto.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35419-061801. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

BUDGET-CULTURAL SERVICES COMMITTEE: The City Manager submitted a communication advising that the Cultural Services Committee budget, in the amount of \$283,443.00, was established by Council with adoption of the General Fund budget for fiscal year 2001-02; requests from 17 agencies, totaling \$658,656.00 were received; appeals of committee recommendations, as provided by policy of the Cultural Services Committee, were received after notification to each agency of its tentative recommended allocation; one appeal was filed and heard on May 22, 2001, from the Harrison Museum of African American Culture; and the Cultural Services Committee voted to allocate \$22,479.00 to the Harrison Museum, while also supporting the request to receive additional funds for operational support through a source other than the Cultural Services Committee.

The City Manager recommended that Council transfer \$283,443.00 from the Cultural Services Committee, Account No. 001-310-5221-3700, to certain new line items to be established within the Cultural Services Committee budget by the Director of Finance for fiscal year 2001-02.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Hudson offered the following emergency budget ordinance:

(#35420-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 General Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Hudson moved the adoption of Ordinance No. 35420-061801. The motion was seconded by Mr. Harris.

Aletha Bolden, Executive Director, Harrison Museum of African-American Culture, 523 Harrison Avenue, N. W., expressed appreciation to the City of Roanoke for its past financial support of the Harrison Museum through Cultural Services Committee allocations, which support has been geared toward programs and not operational needs. She stated that since its inception, the Harrison Museum of African-American Culture has been a strong hold in the community and is recognized throughout the country as an important institution for the preservation of African-American culture; allocations through the Cultural Services Committee have aided in the programming needs of the Harrison Museum; however, recent State funding cuts have had a devastating effect on the Harrison Museum by causing certain programs and art venues to be canceled, and the Museum has recently been forced to reduce the hours of operation in which it is open to the public. She advised that the Harrison Museum Board of Directors is committed and dedicated to the Museum's strategic plan which includes funding community outreach and marketing of the Museum; and strong support is needed from the City of Roanoke to enable the Harrison Museum to continue to exist. She pointed out since the Museum is located off of the beaten path, the formation of partnerships with other arts and cultural organizations has been an important and valuable part of the program, and the Harrison Museum and other arts and cultural organizations of the Roanoke Valley are

part of a master plan initiated by the Arts Council of the Blue Ridge, the purpose of which is to emphasize the importance of the arts and culture to the region by documenting the impact of arts and cultural organizations on the Roanoke Valley's quality of life and economic vitality. She stated that the Harrison Museum's audience is primarily drawn from the City of Roanoke and the Museum's limited staff aspires to meet the artistic needs of all residents of the Roanoke Valley; however, programs and art exhibits over the last two years have decreased dramatically due to the lack of funding. She requested that the City of Roanoke recognize the importance of the Harrison Museum by supporting the recommendation of the Cultural Services Committee that the Harrison Museum of African American Culture receive additional funds in the amount of \$75,000.00, for operational support through another source of funding other than the Cultural Services Committee.

Ordinance No. 35420-061801 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

WATER RESOURCES: The City Manager submitted a communication with regard to bids received by the City for water and wastewater treatment chemicals for Water and Water Pollution Control divisions, to allow for purchase of necessary chemicals to operate the facilities.

The City Manager recommended that Council authorize acceptance of the lowest responsible bids as follows, reject all other bids received by the City, and authorize the Manager of the Purchasing Department to issue the necessary purchase orders.

<u>Description</u>	<u>Successful Bidder</u>	<u>Total Estimated Cost</u>
Liquid Alum	General Chemical Corp.	\$ 70,466.00
Liquid Chlorine 150 lb. cylinders	JCI Jones Chemicals, Inc.	\$ 8,670.00
Liquid Chlorine 2,000 lb. cylinders	JCI Jones Chemicals, Inc.	\$ 28,920.00

Sodium Hydroxide Carvins Cove	GFI Chemicals LP	\$ 112,787.00
Sodium Hydroxide Falling Creek	JCI Jones Chemicals, Inc.	\$ 7,400.00
Orthophosphate	Shannon Chemical Corp.	\$ 34,720.00
Polymer Praestol 186 KH	Control Equipment Co., Inc.	\$ 49,764.00
Liquid Chlorine 2,000 lb. cylinders	JCI Jones Chemicals, Inc.	\$ 33,740.00
Ferric Chloride	Eaglebrook, Inc.	\$ 128,800.00
Sulfur Dioxide	JCI Jones Chemicals, Inc.	\$ 51,800.00
Cationic Polymer	Ciba Specialty Chemicals Corp.	\$ 43,400.00

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following resolution:

(#35421-061801) A RESOLUTION accepting the bids for water and wastewater treatment chemicals for fiscal year 2001-2002, and rejecting all other bids.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35421-061801. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

WATER RESOURCES-EQUIPMENT: The City Manager submitted a communication with regard to bids received by the City for ductile iron water pipe; whereupon, she recommended that Council accept the low bid submitted by U. S.

Filter Distribution Group, Inc. for a period of one year, on a unit cost basis as set forth in bid documents, not anticipated to exceed \$163,719.00 and reject all other bids received by the City, and authorize the Manager of the Purchasing Department to issue purchase orders.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following resolution:

(#35422-061801) A RESOLUTION accepting the bid of U. S. Filter Distribution Group, Inc., made to the City for furnishing and delivering ductile iron water pipe; and rejecting all other bids made to the City.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35422-061801. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

CITY CODE-SEWERS AND STORM DRAINS: The City Manager submitted a communication advising that the United States Environmental Protection Agency (U. S. EPA) regulations require that a scientific study and evaluation of the local limits section of sewer use ordinances/standards be conducted every five years; requirements set forth specific criteria for evaluation of the quality of raw sewage and numerous considerations regarding plant performance in order to quantify permissible loading rates for specific pollutants; computer analysis, using an approved EPA modeling program, of collected data is performed in order to generate modifications to current sewer use limits; in accordance with regulations, the required study was completed by the Water Pollution Control Plant, and results of the study require that revisions be made to the quantity of various metals and other parameters specifically regulated by the local limits sections of the Sewer Use Standards; the revisions were calculated and submitted for approval to the Virginia Department of Environmental Quality (DEQ) and the EPA, and both agencies have issued approval of the required revisions; in addition to the required changes, additional work was completed to clarify and/or simplify certain language in that

portion of the City Code; and the body of work and the subsequent revisions are necessary to maintain compliance with the current Virginia Pollution Discharge Elimination System (VPDES) permit for the Water Pollution Control Plant.

It was further advised that the approval process for the State DEQ included a public advertisement and public comment period regarding the proposed changes, and Water Pollution Control Plant staff have directly communicated the changes to businesses and industries permitted for industrial discharge to the treatment plant; no significant comments were received in relation to either of the activities, inasmuch as there has been a good understanding that the revisions are required by Federal regulations; and the changes do not present any budgetary concerns or considerations.

The City Manager recommended that Council adopt revisions to the Sewer Use Standards, Chapter 26, Article III, Code of the City of Roanoke (1979), as amended.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency ordinance:

(#35423-061801) AN ORDINANCE amending and reordaining Chapter 26, Sewers and Sewage Disposal, Article III. Sewer Use Standards, Code of the City of Roanoke (1979), as amended, by amending certain subsections of §26-43, Definitions, §26-45, Prohibited discharges generally, §26-46, Discharge of heavy metals and toxic materials, §26-51, Discharge of substances capable of impairing, etc., facilities, and §26-56, Discharge permits for industrial waste, with regard to the quantity of various metals and other parameters specifically regulated by this Code in order to comply with regulations of the United States Environmental Protection Agency (EPA), which proposed amendments have been approved by both the EPA and the Virginia Department of Environmental Quality (DEQ); and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35423-061801. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

BONDS/BOND ISSUES-BUDGET-STREETS AND ALLEYS: The City Manager and the Director of Finance submitted a written report advising that on April 16, 2001, Council adopted Resolution No. 35293-041601 which authorized the City to issue general obligation bonds in the year 2002 in the principal amount of \$12 million, pursuant to the Public Finance Act of 1991 (Code of Virginia), for the purpose of assisting the Roanoke Redevelopment and Housing Authority in paying a portion of the costs of a redevelopment project in the City known as the South Jefferson Redevelopment Project; funding in the amount of \$4 million has been requested by the Housing Authority and will be used for property acquisition, relocation of existing businesses, environmental remediation, and demolition; and funds will be provided through General Obligation Bonds to be issued in during the winter season of 2002 as the Series 2002 bond issue.

The City Manager and the Director of Finance recommended appropriation of \$4 million from the sale of Series 2002 general obligation bonds to the South Jefferson Project, Account No. 008-052-9633.

(For full text, see report on file in the City Clerk's Office.)

Mr. Carder offered the following emergency budget ordinance:

(#35424-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Carder moved the adoption of Ordinance No. 35424-061801. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

CITY ATTORNEY:

CITY CODE: The City Attorney submitted a written report advising that since 1982, Council has reenacted and recodified the City Code on an annual basis in order to properly incorporate in the Code amendments made by the General Assembly at the previous Session to State statutes that are incorporated by reference in the City Code, which ensures that ordinances codified in the City's Code incorporate the most recent amendments to State law.

The City Attorney recommended that Council adopt an ordinance to readopt and reenact the Code of the City of Roanoke (1979), advising that if the ordinance is not adopted, City Code sections incorporating provisions of the State Code amended

at the last Session of the General Assembly may not be deemed to include the recent amendments and may be impermissibly inconsistent which could result in the dismissal of criminal prosecutions under these City Code sections.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following emergency ordinance:

(#35425-061801) AN ORDINANCE to readopt and reenact the Code of the City of Roanoke (1979), as amended; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35425-061801. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

DIRECTOR OF FINANCE:

BUDGET-RISK MANAGEMENT: The City Manager and the Director of Finance submitted a joint written report advising that the City accounts for all self-insured liabilities in its Risk Management Internal Service Fund; the Fund has incurred costs in excess of budget during fiscal year 2001, and has also billed user funds and departments at amounts exceeding the original revenue estimates to recover costs; and to properly balance the budget to actual accounting for the year, the following budgetary adjustments are recommended:

Expenditure Accounts:

Environmental Management Regular Employee Salaries (Account No. 019-310-1214-1002)

An increase of \$8,000.00 is needed because the position budgeted was at a lower pay grade than actually utilized. The related benefit accounts also require adjustment as follows:

**Environmental Management City Retirement
(Account No. 019-310-1214-1105) Increase \$1,500.00; and**

**Environmental Management FICA
(Account No. 019-310-1214-1120) Increase \$2,000.00**

Risk Management Fees For Professional Services (Account No. 019-420-1262-2010)

An increase of \$12,000.00 is needed to provide funding for professional fees paid for a consultant study of utilizing a third party for workers' compensation. A report will be presented at the July 2, 2001 City Council meeting regarding a recommendation to contract for these services.

Risk Management Self Insured Auto Liability Claims (Account No. 019-420-1262-2173)

An increase of \$20,000.00 is needed due to claims in the fiscal year which exceeded the original estimate of \$69,000.00. Fluctuation occurs from year to year in the level of such expenses based upon the City's experience.

Risk Management Miscellaneous Claims (Account No. 019-420-1262-2172)

An increase of \$80,000.00 is needed due to the unusually high level of claims paid for water main breaks during the cold winter season.

Risk Management Workers' Comp Medical Expenses (Account No. 019-420-1262-2181)

An increase of \$250,000.00 is needed due to a higher than typical level of medical claims paid. This is due to several fairly severe medical conditions which have resulted in costly medical expenses.

Revenues:

Risk Management Billings to General Fund (Account No. 019-110-1234-0952)

An increase of \$3,500.00 is needed due to increased fund billings resulting from higher expenses than originally anticipated.
Risk Management Billings to Water Fund (Account No. 019-110-1234-0953)

An increase of \$120,000.00 is needed due to the additional billings made to the fund for water main breaks incurred during the year. Other expense increases also necessitated a higher billing. Funding is available in the water fund operating accounts to provide for higher billings.

Risk Management Workers' Comp Billings - Medical (Account No. -110-1234-1171)

An increase of \$250,000.00 is needed in the revenue account to correspond to the increased expense budget previously cited. Billings are made to all funds of the City, the largest being made to the General Fund. Additional funding of \$212,000.00 was allocated from unused FICA to cover General Fund workers comp expenditures. Other funds can absorb additional workers comp costs through operating accounts.

The City Manager and the Director of Finance recommended adjustments in the Risk Management Internal Service Fund.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35426-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Risk Management Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35426-061801. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

POLICE DEPARTMENT-BUDGET-TRANSPORTATION FUND: The Director of Finance submitted a written report advising that the annual Transportation Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002, with revenues totaling \$1,970,217.00 and expenditures totaling \$2,043,043.00, was adopted by Council on May 7, 2001, pursuant to by Ordinance No. 35334-050701; the Transportation Fund revenues fund expenses, less depreciation, plus principal reduction on indebtedness; and appropriation of \$73,200.00 for the purchase of an automated parking ticket system was omitted from the Transportation Fund Appropriation Ordinance.

The Director of Finance recommended that Council appropriate \$73,200.00 to the 2001-2002 Transportation Fund budget, to provide funds for an automated parking ticket system.

(For full text, see report on file in the City Clerk's Office.)

Mr. Hudson offered the following emergency budget ordinance:

(#35427-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Transportation Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Hudson moved the adoption of Ordinance No. 35427-061801. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

BUDGET: The Director of Finance submitted a written report advising that capital projects of all types have been approved by Council for construction over the past years, which have included construction in major categories for buildings, parks, streets, bridges, sanitary sewers, water projects, storm drains, and various technology related projects; funding is established for each project when Council approves the project based on bids for various project costs, as well as extra funding for possible contingencies; and some projects have contingency funds remaining

after the final bills are paid because those projects have been completed within established budgets.

It was further advised that a number of projects have been completed and can be closed, with remaining funds to be transferred from the completed projects to capital projects still under construction; a proposed budget ordinance will transfer remaining funds totalling \$306,389.00 from completed projects to related projects under construction; \$89,318.00 in funds have been transferred from the completed Sidewalks and Curbs Phase 3 and Phase 4 projects to the continuing Sidewalks and Curbs Phase 5 project; the three Bridge Replacement Project has been closed, and \$89,608.00 in remaining funds have been transferred to the ongoing Bridge Maintenance Project; several bridge related projects have been closed, and \$48,231.00 have been transferred to the new Memorial Bridge Rehabilitation Project; Thomason Road Engineering Project and the Murdock Creek Drainage Project have been completed and will transfer \$30,591.00 and \$36,636.00, respectively, to the recently created Miscellaneous Drainage Phase 2 Project; and various Department of Technology projects have been closed, and \$19,929.00 have been transferred to an existing project account for system development.

The Director of Finance recommended that Council authorize the transfer of funds from completed capital projects to certain appropriate accounts.

(For full text, see report on file in the City Clerk's Office.)

Mr. Bestpitch offered the following emergency budget ordinance:

(#35428-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Capital Projects and Department of Technology Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Bestpitch moved the adoption of Ordinance No. 35428-061801. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

BUDGET-GRANTS-SCHOOLS: The Director of Finance submitted a written report summarizing the appropriation of the following School Board grants for fiscal year 2001-2002:

\$3,194,048.00 for the Title I Winter Program,

\$146,285.00 for the Title I Even Start Family Literacy Grant,

\$204,512.00 for the Title VI Program,

\$687,263.00 for Title VI Class Size Reduction Initiative,

\$1,419,311.00 for the Governor's School Program,

\$85,933.00 for the Eisenhower Title II Professional Development Program,

\$1,681,197.00 for the Flow Through Program,

\$197,817.00 for the Fleming-Ruffner Community Learning Center,

\$69,755.00 for the Child Specialty Services Program,

\$73,460.00 for the Child Development Clinic Program,

\$222,391.00 for the Juvenile Detention Home Program,

\$135,979.00 for the Preschool Incentive Program,

\$163,604.00 for the Adult Basic Education Program,

\$131,211.00 for the Apprenticeship Program,

\$49,960.00 for the Jobs for Virginia Graduates Program,

\$397,251.00 for the Perkins Act Program,

\$39,911.00 for the Regional Adult Education Specialist Program,

\$150,098.00 for the Regional Adult Literacy (TAP) Program,

\$8,612.00 for the General Education Development (GED) Testing Program,

\$56,297.00 for the Summer Youth Employment Program,

\$26,913.00 for the Workplace Education Program,
\$35,222.00 for the Regional Adult Basic Education Program,
\$21,341.00 for the Adult Education in the Jail Program,
\$1,375,023.00 for the Alternative Education Program,
\$90,706.00 for the Drug Free Schools Program,
\$159,071.00 for the Roanoke Adolescent Health Partnership,
\$3,750.00 for the Grants Management Program,
\$243,863.00 for the Project YES (Youth Experiencing Success) Program,
\$67,041.00 for the Homeless Assistance Program,
\$47,367.00 for the State Truancy Project,
\$449,532.00 for the Blue Ridge Technical Academy,
\$6,797.00 for the Special Education Interpreter Training Program,
\$170,173.00 for the Special Education Jail Program, and
\$305,665.00 for the Innovative Grant.

The Director of Finance recommended that Council adopt a budget ordinance providing for the above referenced appropriations.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35429-061801) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Capital Projects and Department of Technology Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35429-061801. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

REPORTS OF COMMITTEES: NONE.

UNFINISHED BUSINESS:

PURCHASE/SALE OF PROPERTY-WATER RESOURCES: At a regular meeting of Council held on Monday, May 7, 2001, Council tabled a communication from the City Manager with regard to adoption of a policy on the sale of land in City-owned watersheds, pending response to certain questions raised by Council Member Wyatt, Mr. Harris moved that the matter be removed from the table. The motion was seconded by Mr. Carder and adopted.

The City Manager submitted a communication advising that the City of Roanoke currently owns over 14,000 acres of watershed and buffer property for the protection and preservation of the Carvins Cove Reservoir and the Beaver and Falling Creek Reservoirs; watershed property provides drainage from rainfall into the storage reservoirs and is the only source of recharge; buffer property while beyond the divide of the watershed, provides protection against intrusion upon the watershed property; and City policy has been that watershed property is not for sale while buffer property may be considered for lease or sale on an extremely limited basis.

It was further advised that the City receives requests periodically for the purchase of watershed and buffer property from adjoining property owners; and recent requests have identified a need to establish a policy for the sale of property within the City of Roanoke water supply watersheds.

The City Manager recommended adoption of a policy on the sale of land in City-owned watersheds to establish a consistent means of addressing future requests.

(For full text, see communication and proposed policy on file in the City Clerk's Office.)

Mr. Harris offered the following resolution:

(#35430-061801) A RESOLUTION approving and adopting the City of Roanoke Policy on the Sale of Property within the City of Roanoke Water Supply Watersheds, in accordance with the City Manager's Letter to this Council dated June 18, 2001.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35430-061801. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Wyatt were absent.)

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS: NONE.

At 3:25 p.m., the Mayor declared the meeting in recess for three closed sessions.

At 4:15 p.m., the meeting reconvened in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, with Mayor Smith presiding, for the purpose of meeting with the Vision 2001 Comprehensive Plan Advisory Committee and the City Planning Commission to review the Draft of the 2001 Comprehensive Plan for the City of Roanoke.

COUNCIL MEMBERS PRESENT: William D. Bestpitch, William H. Carder, C. Nelson Harris, W. Alvin Hudson, Jr., and Mayor Ralph K. Smith.

2001 COMPREHENSIVE PLAN ADVISORY COMMITTEE MEMBERS PRESENT: Walter Rugaber, Chair, Patrick N. Shaffner, Richard A Dearing, John P. Bradshaw, Jr., Mary C. Knapp, Fredrick M. Williams, Carl Cooper, Paula L. Prince, Dan Smith, Brian Gottstein and Brian Shepherd.

CITY PLANNING COMMISSION MEMBERS PRESENT: D. Kent Chrisman, Chair, Alfred T. Dowe, Jr., Richard A. Rife, S. Wayne Campbell, and Melvin L. Hill.

OTHERS PRESENT: Ernie Hutton, representing Hutton Associates, Inc.; Jenny Benson, representing Benson Associates - Hill Studio PC; Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; Mary F. Parker, City Clerk; Robert H. Bird, Municipal Auditor; Willard N. Claytor,

Director of Real Estate Valuation; Evelyn S. Lander, Director of Planning, Building and Development; David A. Diaz, Project Manager, Department of Planning, Building and Development; and Martha P. Franklin, Secretary, City Planning Commission.

COMMUNITY PLANNING: Ms. Lander expressed appreciation to the Vision 2001 Advisory Committee for the many hours of volunteer service. She advised that the Vision 2001 Comprehensive Plan is an important tool in building future public decisions in land use, development, public infrastructure, and budget allocations; the Plan is broad in its discussion, yet strategic in setting a framework for implementation; the recommended actions are not intended to be detailed and all inclusive, but were identified as having the most priority during public workshops and are intended to initiate additional planning or activities.

It was explained that key themes to guide Roanoke into the future are discussed in the Executive Summary section of the Plan; Chapter 3 discusses the various elements: housing and neighborhoods, economic development, infrastructure, people or human services, public facilities and services and environmental, cultural and historic resources; Chapter 3 also describes existing conditions, discusses the approach for the future, and sets forth recommended public policies and possible actions to guide decisions and implement the Plan; a discussion of the importance of City design is included, along with design principles for encouraging quality, compatible development and a beautiful City; specific implementation opportunities or strategic initiatives are discussed as ideas to make the Plan “happen” and those model initiatives can be applied to areas of the City. It was noted that Chapter 4 seeks to achieve the goal that Roanoke must be a beautiful City, by establishing general design principles to guide future infill new development, street improvements, and redevelopment of underused sites; Chapter 5 includes a strategic checklist or matrix of the recommended actions discussed in Chapter 3 which will allow for easy review and reporting of accomplishments and work efforts in the future; and Chapter 6 addresses regional opportunities, regulatory tools and other means of implementing the Plan.

Walter Rugaber, Chair, Vision 2001 Advisory Committee, presented an overview of the draft Plan.

(For full text, see draft Vision 2001 Comprehensive Plan on file in the City Clerk’s Office.)

Following questions and observations by Council Members, Ms. Lander advised that the City Planning Commission has scheduled a public hearing for July 19, 2001, with the goal of submitting the Plan to Council at its Monday, August 20, 2001 meeting. She stated that over the next two to three weeks, City

Planning staff would like to receive as much feedback as possible in order to address issues of concern prior to the document going to the City Planning Commission for public hearing.

Council Member Harris requested that the City Manager respond to the following questions:

What are the three most difficult elements of the Plan as it moves from planning to action?

How will the various initiatives in the Plan be prioritized?

What process will be developed by Council and the City administration to hold City government accountable for implementation of the Plan?

At 5:05 p.m., the Mayor declared the meeting in recess.

At 5:35 p.m., the meeting reconvened in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor Smith presiding.

The purpose of the meeting was to hold a joint work session with the City Planning Commission to further discuss the draft Vision 2001 Comprehensive Plan.

COUNCIL MEMBERS PRESENT: William D. Bestpitch, William H. Carder, C. Nelson Harris, and Mayor Ralph K. Smith.

CITYPLANNING COMMISSION MEMBERS PRESENT: D. Kent Chrisman, Chair, Alfred T. Dowe, Jr., S. Wayne Campbell, Melvin L. Hill, Richard Rife and Gilbert E. Butler, Jr. (arrived late).

OTHERS PRESENT: Ernie Hutton, representing Hutton Associates, Inc.; Jenny Benson, representing Benson Associates - Hill Studio PC; Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; Mary F. Parker, City Clerk; Robert H. Bird, Municipal Auditor; Willard N. Claytor, Director of Real Estate Valuation; Evelyn S. Lander, Director of Planning, Building and Development; David A. Diaz, Project Manager, Department of Planning, Building and Development; and Martha P. Franklin, Secretary, City Planning Commission.

Following further review of certain portions of the draft Plan by Mr. Rife, the Mayor declared the Council meeting in recess at 6:25 p.m.

Council reconvened at 6:30 p.m., for a continuation of the previously convened closed session, in the Council's Conference Room, fourth floor, Noel C. Taylor Municipal Building , 215 Church Avenue, S. W., City of Roanoke.

At 6:50 p.m., the meeting reconvened in the Council Chamber with Mayor Smith presiding and all Members of the Council in attendance, with the exception of Council Members White, Wyatt and Hudson.

ACTION: COUNCIL: With respect to the Closed Meeting just concluded, Mr. Bethpitch moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, and Mayor Smith-----4.

NAYS: None-----0.

(Council Members Hudson, White and Wyatt were absent.)

COMMITTEES-SPECIAL EVENTS COMMITTEE: The Mayor advised that there is a vacancy on the Special Events Committee, created by the resignation of Samuel G. Oakey, III, for a term ending June 30, 2002, and called for nominations to fill the vacancy.

ACTION: Mr. Bestpitch placed in nomination the name of Linda Gravely.

There being no further nominations, Ms. Gravely was appointed as a member of the Special Events Committee for a term ending June 30, 2002, by the following vote:

FOR MS GRAVELY: Council Members Bestpitch, Carder, Harris and Mayor Smith-----4.

(Council Members Hudson, White and Wyatt were absent.)

COMMITTEES-YOUTH SERVICES CITIZEN BOARD: The Mayor advised that there is a vacancy on the Youth Services Citizen Board created by the resignation of Todd St. Clair for a term ending May 31, 2004, and called for nominations to fill the vacancy.

ACTION: Mr. Bestpitch placed in nomination the name of Sharon Hicks.

There being no further nominations, Ms. Hicks was appointed as a member of the Youth Services Citizen Board for a term ending May 31, 2004, by the following vote:

FOR MS. HICKS: Council Members Bestpitch, Carder, Harris and Mayor Smith-----4.

(Council Members Hudson, White and Wyatt were absent.)

COMMITTEES-ROANOKE ARTS COMMISSION: The Mayor advised that there are two vacancies on the Roanoke Arts Commission created by the resignations of Lu Jean Bedard for a term ending June 30, 2002, and Matthew Kennell for a term ending June 30, 2004, and called for nominations to fill the vacancies.

Mr. Carder placed in nomination the names of George Kegley and Michael Brennan.

There being no further nominations, Mr. Kegley was appointed to fill the unexpired term of Lu Jean Bedard, resigned, ending June 30, 2002; and Michael Brennan was appointed for a term ending June 30, 2004, as members of the Roanoke Arts Commission, by the following vote:

ACTION: **FOR MESSRS. KEGLEY AND BRENNAN:** Council Members Bestpitch, Carder, Harris and Mayor Smith-----4.

(Council Members Hudson, White and Wyatt were absent.)

At 6:55 p.m., the Mayor declared the meeting in recess to be reconvened at 7:00 p.m.

On Monday, June 18, 2001, at 7:00 p.m., the Roanoke City Council reconvened in regular session in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members William D. Bestpitch, William H. Carder, C. Nelson Harris, and Mayor Ralph K. Smith-----4.

ABSENT: Council Members W. Alvin Hudson, Jr., William White, Sr., and Linda F. Wyatt-----3.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by Council Member C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PUBLIC HEARINGS:

STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, June 18, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Richard A. Dearing to vacate and discontinue and close a certain public alley extending between Richelieu and Crystal Spring Avenues, S. W., the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, June 1, 2001, and Friday, June 8, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the Planning Commission advising that the land within the alley being requested for closure and vacation is currently serving no useful purpose; and upon closure and vacation of the alley, the land within the alley right-of-way will revert back to the City's real estate tax rolls and all future City costs required for maintenance of the alley will be eliminated, was before Council.

The City Planning Commission recommended that Council approve the request, subject to certain conditions.

(For full text, see report on file in the City Clerk's Office.)

ACTION: Mr. Bestpitch moved that the following ordinance be placed on its first reading:

(#35431) AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: The motion was seconded by Mr Carder.

Mr. Richard A. Dearing appeared before Council in support of the request.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter. There being none, Ordinance No. 35431 was adopted, on its first reading, by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, and Mayor Smith-----4.

NAYS: None-----0.

(Council Members Hudson, White and Wyatt were absent.)

Without objection by Council, the Mayor declared the public hearing closed.

STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, June 18, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Shenandoah Crossings, L.P., that an alley extending between Shenandoah and Centre Avenues, N. W., Official Tax No. 2013606, be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, June 1, 2001, and Friday, June 8, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the City Planning Commission advising that the purpose of the request to close and vacate the subject alley is to remove and eliminate the alley as an objection to title to the land occupied by the GOB South Building; and the petitioner owns all of the land abutting upon both sides of the subject alley, was before Council.

The City Planning Commission recommended that Council approve the request, subject to certain conditions.

(For full text, see report on file in the City Clerk's Office.)

ACTION: Mr. Harris moved that the following ordinance be placed upon its first reading:

(#35432) AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: The motion was seconded by Mr. Carder.

Daniel F. Layman, Jr., Attorney, appeared before Council in support of the request of his client.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter. There being none, Ordinance No. 35432 was adopted, on its first reading, by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, and Mayor Smith-----4.

NAYS: None-----0.

(Council Members Hudson, White and Wyatt were absent.)

Without objection by Council, the Mayor declared the public hearing closed.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, June 18, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Melrose Properties, Inc., that a tract of land located at Melrose Avenue and 24th Street, N. W., Official Tax No. 2420205, be rezoned from C-2, General Commercial District, to IPUD, Industrial Planned Unit Development District, subject to certain proffered conditions by the petitioner, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, June 1, 2001, and Friday, June 8, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the City Planning Commission advising that the purpose of the request for rezoning is to encourage development of the site for light manufacturing (i.e., warehousing, distribution) and commercial (i.e., general retail) purposes, was before Council.

The City Planning Commission recommended that Council approve the request, subject to certain proffered conditions.

(For full text, see report on file in the City Clerk's Office.)

ACTION: Mr. Carder moved that the following ordinance be placed upon its first reading:

(#35433) AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: The motion was seconded by Mr Bestpitch.

David A. McCray, Spokesperson, appeared before Council in support of the request of his client.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter. There being none, Ordinance No. 35433 was adopted on its first reading by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, and Mayor Smith-----4.

NAYS: None-----0.

(Council Members Hudson, White and Wyatt were absent.)

Without objection by Council, the Mayor declared the public hearing closed.

NEIGHBORHOOD ORGANIZATIONS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, June 18, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, to receive citizen input on a proposed amendment to Roanoke

Vision, the City's Comprehensive Development Plan for Roanoke, to include the Melrose-Rugby Neighborhood Plan as an element of said Plan the matter, was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, June 10, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

The City Planning Commission recommended amendment of the Comprehensive Plan to incorporate the Melrose-Rugby Neighborhood Plan.

(For full text, see report on file in the City Clerk's Office.)

ACTION: Mr. Carder offered the following resolution:

(#35434-061801) A RESOLUTION approving the Melrose-Rugby Neighborhood Plan, and amending Roanoke Vision, the City's Official Comprehensive Development Plan for Roanoke, to include the Melrose-Rugby Neighborhood Plan.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Carder moved the adoption of Resolution No. 35434-061801. The motion was seconded by Mr. Bestpitch.

Evelyn S. Lander, Agent, City Planning Commission, appeared before Council in support of the request.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter. There being none, Resolution No. 35434-061801 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, and Mayor Smith-----4.

NAYS: None-----0.

(Council Members Hudson, White and Wyatt were absent.)

Without objection by Council, the Mayor declared the public hearing closed.

INDUSTRIES-CITYPROPERTY: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public

hearing for Monday, June 18, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, to receive citizen input on a proposal to convey portions of City-owned property located at the Roanoke Centre for Industry and Technology to Blue Hills Golf Corporation (approximately 14,000 square feet) and to Anderson Wade Douthat, *et al.* (approximately 12,000 square feet), the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, June 10, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

The City Manager submitted a communication recommending authorization to convey City-owned property to Blue Hills Golf Corp., and to Anderson Wade Douthat, *et al.*, subject to certain terms and conditions.

(For full text, see communication on file in the City Clerk's Office.)

ACTION: Mr. Harris moved that the following ordinance be placed upon its first reading:

(#35435) AN ORDINANCE providing for the fee simple conveyance of two small tracts of City-owned property located at the Roanoke Centre for Industry and Technology, adjacent to Tracts A, B and F, to the Blue Hills Golf Corporation (containing approximately 14,000 square feet), and to Anderson Wade Douthat, *et al.* (containing approximately 12,000 square feet), upon certain terms and conditions.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter. There being none, Ordinance No. 35435 was adopted, on its first reading, by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, and Mayor Smith-----4.

NAYS: None-----0.

(Council Members Hudson, White and Wyatt were absent.)

Without objection by Council the Mayor declared the public hearing closed.

STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, June 18, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke that a certain alley which crosses Official Tax No. 4010213, between Norfolk Avenue, S. E., and property bearing Official Tax No. 4010209, and facing Salem Avenue, S. E., be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, June 1, 2001, and Friday, June 8, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the City Planning Commission advising that the undeveloped alley right-of-way is currently serving no useful purpose, it lies within the center of an existing parking lot, and it is not being used as a public alley; and closure and vacation of the alley will provide additional land that can be used by the Western Virginia Foundation for the Arts and Services for purposes that would be more beneficial to the needs of the general public, was before Council.

The City Planning Commission recommended that Council approve the request, subject to certain conditions.

(For full text, see report on file in the City Clerk's Office.)

ACTION: Mr. Carder moved that the following ordinance be placed upon its first reading:

(#35436) AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: The motion was seconded by Mr. Bestpitch.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter. There being none, Ordinance No. 35436 was adopted, on its first reading, by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, and Mayor Smith-----4.

NAYS: None-----0.

(Council Members Hudson, White and Wyatt were absent.)

Without objection by Council the Mayor declared the public hearing closed.

OTHER HEARING OF CITIZENS:

The Mayor advised that Council sets this time as a priority for citizens to speak and a time for Council to listen; and matters requiring referral to the City Mangers will be referred immediately for necessary and appropriate response, recommendation or report Council.

COMPLAINTS-CITY EMPLOYEES: Mr. Robert Gravely, 617 Hanover Avenue, N. W., addressed Council in connection with low wages paid to the City's work force. He advised that the average City employee cannot afford to purchase a home and there is increased crime and homelessness in the City of Roanoke. He expressed concern with regard to City recreation centers that are in need of roof repairs, and school that are in need of renovations while funds from City bond issues are used for purposes that do not benefit the average citizen of Roanoke.

There being no further business, the Mayor declared the meeting adjourned at 7:20 p.m.

A P P R O V E D

ATTEST:

**Mary F. Parker
City Clerk**

**Ralph K. Smith
Mayor**

July 2, 2001

The Honorable Ralph K. Smith, Mayor
The Honorable William Carder, Vice-Mayor
The Honorable William Bestpitch, Council Member
The Honorable Nelson Harris, Council Member
The Honorable Alvin Hudson, Council Member
The Honorable William White, Council Member
The Honorable Linda Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Rezoning authorization

The City of Roanoke owns approximately 29 acres of land fronting Colonial Avenue, identified as Parcel #1570101 on the City's Tax Maps. Currently the only structures on the property are three city owned water tanks located near the rear of the property and a building currently leased by the Specific Reading and Learning Difficulties Association of Roanoke (commonly referred to as the Montessori School), located at 3379 Colonial Avenue. Much of the acreage is excess property that is not required for water distribution services. Subject property offers an opportunity for mixed-use development for planned residential and commercial development.

On June 18, 2001 the City Manager received a letter from Carilion Health Systems, Inc. offering to purchase 2.8 acres of real estate identified by a metes and bounds description (attached as Exhibit 1), within the 29 acre parcel, and fronting Colonial Avenue. The property is currently zoned RS-2, Single Family Residential; a C-1, Commercial, zoning classification would be required for the proposed use. The proposed use is consistent with other land uses surrounding the property (school, church, clinic, apartments).

Recommendation:

Authorize the City Manager to file an application with the City of Roanoke Planning

Honorable Mayor and Members of Council
July 2, 2001
Page 2

Commission to request that the above described 2.8 acre parcel of real estate be rezoned from RS-2 to C-1.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:ean

Attachments

c: James D. Grisso, Director of Finance
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Evie Lander, Director of Planning
Beth Neu, Director of Economic Development

CM01-00140

June 19, 2001

The Honorable Ralph K. Smith, Mayor
and Members of Roanoke City Council
Roanoke, VA 24011

Dear Members of Council:

As the result of official School Board action at its meeting on June 12, 2001, the Board respectfully requests City Council to approve a State Literary Fund loan application for the Roanoke Academy for Mathematics and Science project. The loan will provide \$5.0 million to fund part of the \$11.5 million to replace the outdated 1940s facility designed as a junior high school with a new elementary facility. The Schools' additional debt service for the project will total \$450,000 and debt service payments will commence in FY2003-04.

The Board appreciates the approval of this request.

Sincerely,

Cindy H. Lee, Clerk

re

Enc.

cc:	Ms. Melinda J. Payne	Mr. William L. Murray
	Dr. E. Wayne Harris	Mrs. Darlene Burcham
	Mr. Richard L. Kelley	Mr. William M. Hackworth
	Mr. Kenneth F. Mundy	Mr. James D. Grisso

July 2, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Tipping Fees Transfer from Solid Waste
Management FY 2001-2002 Budget

Background:

Presently, the Solid Waste Management (SWM) Division is responsible for payment of landfill tipping fees incurred by other City departments. The current arrangement allows those other departments to dispose of waste for which the tipping fees are billed to SWM. This creates a challenge for SWM with respect to the management of its annual operating budget.

Considerations:

Funding that is presently allocated to SWM for tipping fees can be transferred to other departments for payment of tipping fees incurred by those departments, specifically Streets and Traffic and Parks and Grounds. This will be established in future budgets prior to their recommendation to City Council.

Recommendation:

City Council approve the transfer of \$187,229 from Solid Waste Management (Account No. 001-530-4210-2010) to Streets and Traffic (Account No. 001-530-4110-2010) and \$104,247 from Solid Waste Management (Account No. 001-530-4210-2010) to Parks and Grounds (Account No. 001-620-4340-2010) for tipping fee expenses to be incurred in Fiscal Year 2001-2002.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:FWD/mc

- 3: James D. Grisso, Director of Finance
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Robert K. Bengtson, P. E., Director of Public Works
Wanda Reed, Acting Director, Parks and Recreation

#CMO1-001128

July 2, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor and Members of Council:

Subject: Appropriation of Regional Disability Services Board
Grant Funding – Staff Support and Contract for Services

Background:

The Fifth District Disability Services Board (DSB) is responsible to local governments and serves as a critical resource for needs assessment, information sharing and service opportunities for citizens with disabilities, their families and the community. The following jurisdictions in the Fifth Planning District have enacted resolutions establishing their participation in a regional effort and have appointed a local official to serve: the cities of Roanoke, Salem, Covington, Clifton Forge; counties of Roanoke, Craig, Botetourt, and Allegheny and the Town of Vinton. Other members of the DSB include representatives from business and consumers.

City Council authorized the Director of Finance to serve as fiscal agent for the Fifth Planning District Disabilities Services Board on September 25, 1995, Resolution No. 32675-092595.

The State Department of Rehabilitative Services has allocated funds in the amount of \$29,600 for a two-year period to continue local staff support of the administration of the Fifth District DSB. See Attachment "A".

Recommendation:

Authorize the City Manager or her designee to enter into a contract substantially in the form included in this report as attachment "B", and approved as to form by the City Attorney, with existing DSB staff support to continue providing local administrative support.

City Council appropriate \$29,600 to a grant fund account number to be established and a corresponding revenue estimate to be established by the Director of Finance, to provide funding for the Fifth District DSB.

Respectfully submitted,

Darlene L. Burcham
City Manager

C: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Glenn Radcliffe, Director, Human Services
James Yancey, Accountant, Finance
Carol Wright, Human Services Coordinator

CM01-00126

Agreement for Services

This agreement is made this 1st day of June 2001, by and between the CITY OF ROANOKE, hereinafter referred to as "City" and ROSLYN KINGERY hereinafter referred to as "Staff".

The parties hereto agree as follows:

1. **SCOPE OF SERVICES** – The Staff will provide the City and its designee (Fifth District Disability Services Board) with staff support as follows:
 - a. Attend all DSB meetings (minimum of one meeting per quarter) and related activities
 - b. Prepare, disseminate and maintain agendas, minutes and other correspondence
 - c. Maintain and monitor the administrative budget
 - d. Maintain official records for the DSBs
 - e. Administer and monitor the RSIF grants and ensure that the impact reports are completed and sent within time frame specified
 - f. Arrange sign language interpreters, CAN and/or CART services, and all other necessary accommodations, for DSB meetings and hearings.
 - g. Ensure DSB compliance with the Code of Virginia and DSB Establishment Guidelines
 - h. Provide ADA and disability information to DSB members, local elected officials and the public within the localities served by the local DSB
 - i. Support DSB efforts to exchange information with other local boards regarding services and best practices in the delivery of services to persons with physical and sensory disabilities
 - j. Other duties as directed by the local disability services board.
2. **TIME OF PERFORMANCE** – the term of this agreement shall be for a two-year period beginning June 1, 2001 and concluding May 31, 2003.
3. **FEES AND PROPOSED PAYMENT SCHEDULE** – the total compensation to Staff shall be \$14,800 per 12-month period. Payment to the Staff shall be made monthly upon receipt of payroll documentation.

4. **TERMINATION** – either the City or the consultant upon written notification thirty (30) days prior to termination may terminate this agreement.
5. **REPORTING** – The Staff will meet with the City’s designee a minimum of twice a month and provide regular updates on the progress of the Boards work.
6. **INDEMNIFICATION** – the Staff agrees to indemnify and hold harmless the City, its officers, agents and employees, from any and all claims, legal actions and judgments advanced against the City and for expenses the City may incur in this regard, arising out of the Staff’s negligent acts or omissions with respect to the rights and privileges granted by the City to the Staff in this Agreement.
7. **GOVERNING LAW** – the Commonwealth of Virginia shall govern this Agreement.
8. **OWNERSHIP** – All reports, paper, etc., developed and/or generated as a result of this proposals process are the property of the city of Roanoke. No duplication or dissemination of this material can be done without the expressed written permission of the Director of Human Services, or other authorized City official.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year here in above written:

CITY OF ROANOKE

By: _____
Darlene L. Burcham, City Manager

INDEPENDENT CONTRACTOR

By: _____
Roslyn A. Kingery

APPROVED AS TO FORM:

Assistant City Attorney

APPROVED AS TO EXECUTION:

Assistant City Attorney

July 2, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of Council:

Subject: Computer Network for
Comprehensive Services Act
Program

Background:

The Comprehensive Services Act Program (CSA) serves 570 to 600 youth and families each fiscal year with a budget of \$8,400,000.00. This program enacted by the General Assembly in 1993 has been operated with a manual paper process for tracking funds and client placements.

Considerations:

The City Auditor's Report of December, 2000 recommended that a computer based system be implemented to assist in the monitoring of expenditures and client services.

A team of staff has reviewed the CSA computer system at 2 of the 22 jurisdictions that have implemented an electronic network. All the jurisdictions utilize the same system.

Recommendations:

Authorize the City Manager to enter into an agreement with Harmony Information Systems,

Inc., such agreement to be approved as to form by the City Attorney, for a CSA computer based network and appropriate \$100,000 from the Fiscal Year 00-01 Capital Maintenance and Equipment Replacement Program to a project account to be

Honorable Mayor and Members of City Council

July 2, 2001

Page 2

established by the Director of Finance in the Department of Technology Fund to purchase hardware, software, training, and maintenance for the system.

Respectfully submitted,

Darlene L. Burcham
City Manager

GDR:tem

cc Rolanda Johnson, Assistant City Manager for Community Development
Glenn D. Radcliffe, Director of Human/Social Services
Mary Parker, City Clerk
William Hackworth, City Attorney
James Grisso, Director of Finance
Barry Key, Director of Management and Budget

CM01-00127

July 2, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor and Members of Council

Subject: Budget Amendment to include Arena
Ventures Revenue and Expenses

Background:

At its May 7, 2001 meeting, City Council authorized the City Manager to enter into a License Agreement between the City of Roanoke and Arena Ventures, LLC, for use of the Civic Center Coliseum and related facilities to provide a number of National Basketball Development League (NBDL) basketball games and a certain number of events produced by SFX Concerts, Inc. in the Coliseum over a five year period. Additionally, City Council authorized certain financial arrangements in connection with the License Agreement with Arena Ventures, LLC.

Revenues and expenses associated with this License Agreement need to be included in the Fiscal Year 2001-02 operating budget as a part of the Civic Facilities Budget. Additional revenues derived from this Agreement will more than offset expenses, with net revenues designated to pay debt service for Capital Improvements associated with this License Agreement. Additional full time positions needed to provide for the operation of these additional events include:

- General Supervisor
- Trades Helper
- Inventory Control Clerk
- Event Staff Supervisor
- Assistant Concessions Supervisor

Recommended Action:

Appropriate the revenues and expenses shown in Attachment 1 in the Civic Facilities Fund, and authorize five new positions in the Civic Facilities Fund.

Respectfully submitted,

Darlene L. Burcham
City Manager

C: Mary F. Parker, City Clerk
William M. Hackworth City Attorney
James D. Grisso, Director of Finance
Barry L. Key, Director of Budget & Management
James M. Evans, Director of Civic Facilities

CM01-00134

Attachment 1 Revenues and Expenditures

Expenditures

	<u>Personal Services</u>	
005-550-2105-1002	Regular Employee Salaries	\$ 92,620
005-550-2105-1004	Temporary Employee Wages	26,396
005-550-2105-1105	Retirement	7,738
005-550-2105-1116	ICMA Match	2,600
005-550-2105-1120	FICA	9,105
005-550-2105-1125	Medical Insurance	8,400
005-550-2105-1126	Dental Insurance	740
005-550-2105-1130	Life Insurance	741
005-550-2105-1131	Disability Insurance	<u>222</u>
		\$ 148,562

005-550-2109-1002	Regular Employee Salaries	\$ 26,969
005-550-2109-1004	Temporary Employee Wages	65,424
005-550-2109-1105	Retirement	2,265
005-550-2109-1116	ICMA Match	650
005-550-2109-1120	FICA	7,068
005-550-2109-1125	Medical Insurance	2,100
005-550-2109-1126	Dental Insurance	185
005-550-2109-1130	Life Insurance	216
005-550-2109-1131	Disability Insurance	<u>72</u>
		\$ 104,949

	<u>Operating Expenditures</u>	
005-550-2105-2010	Fees for Professional Services	\$ 240,108
005-550-2105-2022	Electric	17,980
005-550-2105-2024	Natural Gas	8,845
005-550-2105-2026	Water & Sewage	2,175
005-550-2105-2044	Training & Development	13,701
005-550-2105-2064	Wearing Apparel	5,000
005-550-2105-3075	Rental Fees	36,000
005-550-2105-2102	Commissions & Royalties	<u>434,091</u>
		\$ 757,900

	<u>Inventory Purchases</u>	
005-550-2109-3016	Inventory Purchases	\$ 157,018

	<u>Operating Expenditures</u>	
005-550-2109-2010	Fees for Professional Services	\$ 52,339
005-550-2109-2048	Maintenance Equipment	13,085
005-550-2109-2079	Sales Tax	<u>60,776</u>
		\$ 126,200

Capital Outlay

005-550-2108-9015	Other Equipment	\$ 328,951
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Total **\$1,623,580**

Revenue

	<u>Civic Center Rentals</u>	
005-1234-110-0936	Coliseum Rental	\$ 81,745
005-1234-110-0941	Admissions Tax	223,166
005-1234-110-1070	Novelty Fees	81,124
005-1234-110-1251	Facility Surcharge	<u>218,617</u>
		\$ 604,652

	<u>Civic Center Fees</u>	
005-1234-110-0935	Display Advertising	\$ 100,000

	<u>Event Expense</u>	
005-1234-110-0944	Cashiers	\$ 17,459
005-1234-110-0945	Security Guards & Police	57,216
005-1234-110-0947	Ushers & Ticket Takers	87,785
005-1234-110-0981	Event Coordinators	10,156
005-1234-110-0982	Event Receptionist	2,772
005-1234-110-0986	Fire watch	5,013
005-1234-110-XXXX	Maintenance Staff/Electricians	15,111
005-1234-110-XXXX	Emergency Medical Service	<u>8,400</u>
		\$ 203,912

	<u>Commissions</u>	
005-1234-110-0950	Concessions	\$ 715,016

Total **\$1,623,580**

July 2, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of Council:

Subject: Funding for the Fifth
District Employment and Training
Consortium

Background:

The Fifth District Employment and Training Consortium (FDETC) administers the federally funded Workforce Investment Act (WIA) for the region, which encompasses the counties of Alleghany, Botetourt, Craig, Franklin and Roanoke as well as the cities of Covington, Roanoke and Salem. WIA funding is for two primary client populations:

- dislocated workers who have been laid off from employment through no fault of their own, and
- economically disadvantaged individuals as determined by household income guidelines set by the U.S. Department of Labor .

The City of Roanoke is the grant recipient and fiscal agent for FDETC funding, thus, City Council must appropriate the funding for all grants and other monies the FDETC receives.

- I. The state office of the Virginia Employment Commission (VEC) has sent the Consortium notice of the WIA Allocations for Program Year 2001-2002 for Title I grants in the amount of:

\$411,593 - (Adult)
\$507,737 - (Youth)
\$402,314 - (Dislocated Worker)

Honorable Mayor and Members of Council
July 2, 2001
Page 2

2. Member jurisdictions of the Fifth District Employment and Training Consortium contribute funds to offset the agency's administrative costs. The City of Salem has sent a contribution of \$5,985 for the fiscal year 2001.

Considerations:

- ? Program Operations - Existing activities will continue and planned programs will be implemented and completed within planned time frames, July 1, 2001 through June 30, 2002.
- ? Funding - Funds are available from the Grantor agency and other sources as indicated. No additional funds are required from the City.

Recommended Action

Appropriate the FDETC's funding totaling \$1,327,629 and increase the revenue estimate by \$1,327,629 in accounts to be established in the Consortium fund by the Director of Finance.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:wc

- c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Rolanda Johnson, Assistant City Manager for Community Development
Glenn Radcliffe, Director of Human Services

CM01-00123

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

The 2nd day of July, 2001

No.

A RESOLUTION authorizing the City Council's appointee to the Policy Board of the Fifth District Employment and Training Consortium to execute the fiscal agent agreement and any necessary amendments thereto with the state office of the Virginia Employment Commission.

BE IT RESOLVED by the City Council of the City of Roanoke as follows:

1. That the City Council's appointee to the Policy Board of the Fifth District Employment and Training Consortium, and the City Clerk, are hereby authorized, for and on behalf of the City, to execute and attest, respectively, the fiscal agent agreement and any necessary amendments thereto with the state office of the Virginia Employment Commission, within the limits of funds set forth and for the purposes specified in the City Manager's report to this Council dated July 2, 2001, and the attachments thereto.
2. The form of the agreement and any necessary amendments shall be in form approved by the City Attorney.

ATTEST:

City Clerk.

July 2, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable W. Alvin Hudson, Council Member
Honorable William D. Bestpitch, Council Member
Honorable William White, Sr., Council Member
Honorable C. Nelson Harris, Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Acceptance of 2001-2002
Community Development Block
Grant (CDBG) Program

Background:

CDBG is a program of the U. S. Department of Housing and Urban Development (HUD) which offers assistance to our community in many ways. The City has received CDBG entitlement grants each year since the inception of the program in 1974 and must submit an action plan annually to HUD to receive such funding. On May 7, 2001, by Resolution No. 35319-050701, City Council authorized filing the 2001-2002 CDBG application through submission of the Annual Update of the Consolidated Plan to the U. S. Department of Housing and Urban Development (HUD) for FY 2001-2002.

Considerations:

HUD's routine release process is underway, and the HUD approval letter is forthcoming, granting the City access to its 2001-2002 CDBG entitlement of \$2,239,000. In addition, \$655,000 unexpended from prior year accounts and \$170,704 in anticipated program income are also included in this appropriation for FY 2001-2002 programs. Acceptance of the entitlement and appropriation of all funds to the accounts indicated in Attachment A is needed to permit projects to proceed.

Recommended Actions:

1. Adopt a resolution accepting the \$2,239,000 in 2001-2002 CDBG funds, contingent upon receipt of the approval letter from HUD.
2. Authorize the City Manager to execute the required Grant Agreement, Funding Approval, and

other forms required by HUD in order to accept the funds.

Honorable Mayor and Members of Council
July 2, 2001
Page 2

3. Appropriate \$2,239,000, entitlement, and \$170,704 in anticipated program income to revenue and expenditure accounts in the Grant Fund to be established by the Director of Finance, as detailed in Attachment A; and
4. Transfer \$655,000 in CDBG accounts from prior years to projects included in the 2001-2002 CDBG program, as detailed in Attachment A.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:mtm

Attachment

c: James D. Grisso, Director of Finance
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Meg T. Munton, Grants Specialist

CM01-00107

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION accepting the fiscal year 2001-2002 funds for the Community Development Block Grant program, and authorizing the City Manager to execute the requisite Grant Agreement with the United States Department of Housing and Urban Development (HUD).

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The fiscal year 2001-2002 funds for the Community Development Block Grant program are hereby ACCEPTED, upon receipt of an approval letter from HUD.
2. The City Manager is authorized to execute, and the City Clerk is authorized to attest, the requisite Grant Agreement with the United States Department of Housing and Urban Development for such funds, the Funding Approval, and any and all understandings, assurances and documents relating thereto, in such form as is approved by the City Attorney, as more particularly set out in the report to this Council dated July 2, 2001.

ATTEST:

City Clerk.

July 2, 2001

The Honorable Ralph K. Smith, Mayor
The Honorable William Carder, Vice-Mayor
The Honorable William Bestpitch, Council Member
The Honorable Nelson Harris, Council Member
The Honorable Alvin Hudson, Council Member
The Honorable William White, Council Member
The Honorable Linda Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Downtown Service District
Services Agreement

In 1986 the City of Roanoke established the Downtown Service District. Subsequently, an Agreement was entered into between the City and Downtown Roanoke, Inc. (DRI) to provide the net revenue generated from the Downtown Service District to DRI, less the City's direct costs, in order to provide promotional services within the downtown district. The first Agreement was for a one year term from July 1, 1987, that would be automatically extended on a year to year basis for up to five years. That Agreement was amended to provide for further annual extensions until June 30, 2001. An Agreement, substantially similar to the one that has been in effect since 1987 has been negotiated with DRI, a copy of which is attached hereto. The attached Agreement is for a single five year term.

Promoting and developing downtown continues to be a priority of the City Council and other civic leaders. The services provided by DRI the past several years have enhanced downtown businesses and the livability of our city.

Recommendation:

Authorize the City Manager to execute a Downtown Service District Services Agreement between the City of Roanoke and DRI for a period of five years, from July 1, 2001, through June 30, 2006, that is substantially similar to the one attached hereto; such agreement to be approved as to form by the City Attorney.

Honorable Mayor and Members of Council
July 2, 2001
Page 2

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:ean

Attachments

c: James D. Grisso, Director of Finance
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Beth Neu, Director of Economic Development

CM01-0094

DOWNTOWN SERVICE DISTRICT

SERVICES AGREEMENT

THIS AGREEMENT, is dated this 1st day of July, 2001, by and between the CITY OF ROANOKE, VIRGINIA, a political subdivision of the Commonwealth of Virginia, and DOWNTOWN ROANOKE, INC., a corporation organized under the laws of the Commonwealth of Virginia;

WITNESSETH:

I. BACKGROUND

Sections 15.2-2400 et. seq., of the Code of Virginia, 1950, as amended, provide in part that the governing body of a city may, by ordinance, designate a "service district" in order to provide additional or more complete services of government than are desired in the city as a whole. The governing body of a city may, under the provisions of § 15.2-2403(4) of the Code of Virginia, contract with any firm to provide such additional governmental services in a service district. Under the provisions of § 15.2-2403(6) of the Code of Virginia, the governing body may also levy and collect an annual tax on the property in a service district to pay the cost of providing additional governmental services in the district.

Downtown Roanoke, Inc. is a non-profit corporation organized in 1960 for the purpose of promoting the preservation and development of the central business district of the City of Roanoke.

In 1986, the Downtown Management Task Force of the City of Roanoke, under the aegis of Downtown Roanoke, Inc., recommended the establishment of a downtown service district (the "Downtown Service District") for the City of Roanoke to promote economic development, management and community relations in the downtown area.

By letter of July 1, 1986 to the Honorable Clifton A. Woodrum, the Attorney General of Virginia

opined that the purposes for which a City of Roanoke downtown service district would be established constitute “additional governmental services” within the meaning of § 15.1-18.2 of the Code of Virginia as then in effect.

On October 14, 1986, Downtown Roanoke, Inc. formally proposed to the City of Roanoke the creation of a Downtown Service District.

On December 8, 1986, the Council of the City of Roanoke adopted Ordinance No. 28453 providing for the creation of a Downtown Service District for the City of Roanoke in order to

“provide additional governmental services not being offered uniformly throughout the entire City, including but not limited to, economic and business development and promotional activities intended to foster business retention, business recruitment and developer recruitment; planning for the development or revitalization of downtown and for the transportation and public facility and public space needs of downtown; and those public purposes enumerated in § 15.1-18.2(b), Code of Virginia (1950), as amended.”

Ordinance No. 28453 amended the Code of the City of Roanoke (1979) by the addition of new Sections 32-102, Downtown Service District Created; 32-102.1, Additional Tax Imposed; 32-102.2 Downtown Service District Defined; 32-102.3, Purposes of Tax; and 32-102.4, Other Powers and Duties. The terms of Ordinance No. 28453 provide that it shall be in full force and effect on July 1, 1987.

II. PURPOSE OF AGREEMENT

The City of Roanoke desires to contract with Downtown Roanoke, Inc. as an independent contractor on behalf of the City to foster economic advancement and development of the Downtown Service District, and Downtown Roanoke, Inc. desires to serve in such capacity, on the terms and conditions set forth below.

III. AGREEMENT

In consideration of the mutual covenants and obligations herein, the City of Roanoke (hereinafter “City”) and Downtown Roanoke, Inc. (hereinafter “DRI”) covenant and agree as follows:

3.1. Independent Contractor Relationship. During the term of this Agreement, DRI shall be the independent contractor of the City for the purpose of undertaking the development activities in the Downtown Service District as defined by geographic boundary in § 32-102.2, Code of the City of Roanoke, with tax revenues generated from the Downtown Service District pursuant to City Code § 32-102.1. In the event that the geographic boundaries of the Downtown Service District are amended by City, the area covered by this Agreement shall be automatically amended to correspond to the boundaries as then defined without the need to take further action hereunder. City agrees not to create any other contiguous predominantly business service district without first evaluating the possibility of expanding the Downtown Service District to cover the proposed area.

3.2. Term. The term of this Agreement shall be for five years, commencing July 1, 2001 and ending on June 30, 2006.

3.3. Activities to be Undertaken. Funds made available to DRI will be applied to provide additional governmental services to the Downtown Service District which are not being offered uniformly throughout the entire City, including but not limited to:

(a) Economic and business development and promotional activities intended to foster business retention, business recruitment and developer recruitment; planning for the development or revitalization of downtown Roanoke and for the transportation and public facility and public space needs of downtown Roanoke; and

(b) Those other activities set forth in Virginia Code § 15.2-2403 as shall be agreed upon from time to time by the City Manager and DRI.

3.4. Prohibited Activities. No Downtown Service District funds from the City shall be expended by DRI for the following purposes:

(a) Promotion of individual businesses;

(b) Support of partisan political activities or lobbying of any legislative body, including the Roanoke City Council;

(c) Acquisition of real property or construction of public facilities, except with the express consent of the City Council;

(d) Promotion or development of any area outside the Downtown Service District not incidental to promotion or development of the Downtown Service District.

3.5. Overhead Reimbursement. The parties contemplate that the activities undertaken by DRI in connection with the Downtown Service District will constitute the principal activity of DRI during the term of this Agreement. As compensation for its services, DRI shall be entitled to apply from the funds received from the City an amount sufficient to cover a pro-rata share of DRI's overhead expense, including salaries and benefits, expenses and rents, based on total DRI receipts.

3.6. Work Program/Budget. No later than May 1 of each year during the term of this Agreement DRI shall submit to the City Manager for approval a work program and budget setting forth in reasonable detail the Downtown Service District activities planned for the next year and the anticipated expenditures of City funds involved. The City Manager shall approve or otherwise respond to the proposed work program and budget no later than June 1 in order that any necessary modifications be

settled upon before July 1. Within the parameters established by the approved program and budget, and subject to the express limiting terms and conditions of §§ 15.2-2400 et. seq., of the Code of Virginia and §§ 32-102 et. seq. of the Code of the City of Roanoke (1979), as amended, and of this Agreement, DRI shall have the discretionary authority to carry out the Downtown Service District activities in such manner as it deems appropriate.

3.7. Disbursements to DRI.

(a) For purposes of this section, the phrase “actual net revenues” shall mean actual tax receipts to the City under § 32-102.1, Code of the City of Roanoke, less the City’s direct costs incurred in collecting and administering such receipts as provided by § 32-102.3, Code of the City of Roanoke, currently charged at \$2000. It is contemplated that the \$2000 charge will not increase during the term of this Agreement. In no year shall total payments to DRI exceed actual net revenues for the year.

(b) The Director of Finance shall prior to March 1 make an estimate of actual net revenues to be received by the City pursuant to § 32-102.1 during the next succeeding fiscal year. Such estimate shall be provided to DRI prior to March 1 of each year for use by DRI in planning and budgeting for the next succeeding fiscal year (July 1 to June 30).

(c) The City shall make two payments to DRI: one on October 15 and one on April 15. The first payment shall be in an amount equal to one-half of the City Director of Finance's estimate of actual net revenues to the City under § 32-102.1 for the City's fiscal year. The second payment shall be in an amount equal to one-half of the City Director of Finance's estimate of actual net revenues to the City under § 32-102.1 for the city's fiscal year. At the conclusion of each fiscal year, the City shall compare actual net revenues for such fiscal year to the payments made to DRI during such fiscal year, and on or

before July 15 of each year, the City shall provide DRI with a detailed accounting of property assessments for all properties in the Downtown Service District, the amount of taxes billed to the property owners, the amount of taxes collected from the property owners, and the amount of taxes delinquent. The City shall pay to DRI the difference between actual net revenues and the total amount of the payments made to DRI prior to the conclusion of the fiscal year. Should the total amount of the two payments made to DRI in any fiscal year exceed actual net revenues, then the amount of such overpayment shall be withheld from the first payment for the next fiscal year or as mutually agreed upon.

3.8. Subcontracting. It is contemplated that DRI will from time to time contract with firms and individuals for the acquisition of goods or services in the furtherance of the activities contemplated by this Agreement. DRI will not enter into any contract relating to activities contemplated by this Agreement or involving the expenditure of funds provided to DRI by the City under this Agreement where the amount of such contract is \$5,000 or more without written authorization of the City Manager unless the amount of the contract sum and the nature of the goods or services to be acquired were disclosed in the work program and budget submitted for the year in which the contract is to commence.

3.9. Books and Records, Audits. DRI shall keep accurate books and records of all City funds received and disbursed, and of all activities undertaken pursuant to this Agreement. DRI will make such books and records available to the Municipal Auditor of the City or other independent auditor selected by the City during its regular office hours.

3.10. Contacts with Prospective Developers. DRI shall inform the City's Director of Economic Development on a regular basis of all contacts with or by potential developers with interest in the

Downtown Service District. A representative from the City's Economic Development Office shall have the right to be present at any presentations by or to interested developers.

3.11. Board of Directors. During the term of this Agreement, DRI shall elect one representative from and designated by the City Council to be an ex officio member of the Board of Directors of DRI with full voting rights and privileges.

3.12. Indemnification. DRI shall indemnify and hold harmless the City, its officers, agents and employees, from any and all claims, legal actions and judgments advanced against the City or its officers, agents or employees, and for expenses the City may incur in this regard, arising out of DRI's sole and exclusive negligent acts or omissions, intentional and unintentional, with respect to carrying out this Agreement or exercising any rights, privileges or duties granted by the City to DRI through this Agreement. DRI shall have no indemnification obligation with respect to any claim, legal action, judgment, loss, cost, expense or damage for which a demand for indemnification is not received by DRI on or prior to the date which is five years from the date of expiration or termination of this Agreement.

3.13. Insurance.

(a) DRI shall obtain and maintain during the life of this Agreement a policy or policies of comprehensive general liability insurance with an insurance company or companies licensed to do business in Virginia, which policy or policies shall provide coverage with respect to claims arising out of the subject matter of this Agreement. The amount of such insurance shall not be less than:

1. In the case of bodily injury liability insurance, \$500,000.00 for injuries, including death, to one person in any one occurrence, and \$1,000,000.00 annual aggregate;

2. In the case of property damage insurance, \$500,000.00 for damage in any one occurrence, and \$1,000,000.00 annual aggregate;

3. The above amounts may be met by “umbrella” coverage in a minimum amount of \$1,000,000.00, provided that such “umbrella” coverage shall pick up at the maximum levels of underlying coverages so that there shall be no gaps in coverage.

(b) DRI shall name the City and its officers, agents and employees, as additional insureds on the above policies.

(c) DRI shall furnish the City with certificates evidencing the required coverage and containing a statement to the effect that the coverage shall not be cancelled or materially altered except after ten (10) days’ written notice to the City.

(d) During the life of this Agreement DRI shall furnish the City with a fidelity bond on its employees in an amount not less than \$100,000.00.

3.14. Assignment. Neither the City nor DRI may assign its rights or obligations hereunder without the prior written consent of the other.

3.15. Notices. Any notices required by the terms of this Agreement shall be deemed to have been given when delivered in person to or deposited in the U.S. mail, postage pre-paid, registered or certified, addressed to:

(a) If to the City:

City Manager
City of Roanoke
Municipal Building
215 Church Avenue, S.W.
Roanoke, VA 24011

And

Director of Economic Development
City of Roanoke
111 Franklin, Suite 200
Roanoke, VA 24011

(b) If to DRI:

President
Downtown Roanoke, Inc.
213 Market Street
Roanoke, VA 24011

or at such other address as each party may designate for itself by notice given in accordance with this Section 3.15.

3.16. Termination. The City or DRI may terminate this Agreement at any time, for cause, by giving notice pursuant to Section 3.15 of this Agreement provided that reasonable notice and opportunity to cure shall first be afforded. The City may terminate this Agreement at any time if DRI applies funds paid to DRI by the City for any purpose other than the purposes contemplated by this Agreement, provided that reasonable notice and opportunity to cure shall first be afforded.

WITNESS the following signatures as of the date first above written.

ATTEST:

CITY OF ROANOKE

City Clerk

By _____
City Manager

ATTEST:

DOWNTOWN ROANOKE, INC.

Its Secretary

By _____
Its President

Funds required for this contract certified:

Approved as to Form:

Director of Finance
Date: _____
Account number: _____

City Attorney/Assistant City Attorney
Approved as to Execution:

City Attorney/Assistant City Attorney

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the execution of a Downtown Service District Services Agreement between the City of Roanoke, Virginia, and Downtown Roanoke, Inc. (DRI), that will provide for DRI to undertake certain activities within the Downtown Service District of the City; and authorizing the City Manager to take such further action as is necessary to implement and administer the terms of such Agreement.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City Manager and the City Clerk are authorized to execute and to attest, respectively, a Downtown Service District Services Agreement between the City and Downtown Roanoke, Inc., for a term of five years commencing July 1, 2001, and ending June 30, 2006, and which will provide that DRI will undertake certain activities as required by the terms of the Agreement which is attached to the City Manager's letter to this Council dated July 2, 2001.
2. The Agreement shall be substantially similar to the one that is attached to above mentioned City Manager's letter, and shall be approved as to form by the City Attorney.
3. The City Manager is authorized to take such further action as may be necessary to implement and administer the terms of the Agreement referred to above.

ATTEST:

City Clerk.

July 2, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Leasing a 15 passenger van from
 Dominion Dodge for summer
 Recreation Programs

Background:

The Parks and Recreation Department operates eight weeks of Outdoor Adventure Summer camps and other recreation programs. Transportation to remote outdoor sites is a necessity for this camp. The Parks and Recreation Department's van, used to transport the program participants, was retired by Fleet Management due to the prohibitive cost of making required repairs. A replacement van will be purchased in next year's budget. In order to have transportation available for this summer's camps and other programs, the City of Roanoke has negotiated with Dominion Dodge to lease a 15 passenger van for the 8 week period of July 6, 2001 through August 31, 2001 at \$100 per week.

Considerations:

The \$100 per week for 8 weeks price negotiated with Dominion Dodge is significantly lower than the usual rate of \$800.00 per week. Funding for this vehicle will be recovered by camp fees paid by participants. When the City of Roanoke signs the lease we are indemnifying Dominion Dodge and listing Dominion Dodge on City of Roanoke's Auto Insurance.

Recommended Action:

Approve the City Manager and the City Clerk to execute and attest, respectively, execute the attached lease agreement with Dominion Dodge, Inc., such agreement to be approved as to form by the City Attorney, for a 15 passenger van for eight weeks at \$100.00 per week or \$800.00 total. The City of Roanoke will also pay for fuel and minor repairs, if needed. Payment will be made from account 001-620-7110-2099.

The Honorable Mayor and Members of Council
July 2, 2001
Page 2

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:kaj

c: Rolanda Johnson, Assistant City Manager of Community Development
Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Glenn A. Asher, Risk Management Officer
Wanda B. Reed, Acting Director of Parks and Recreation.

#CM01-00135

July 2, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Bridge Inspection Program
Amendment No. 2 to Agreements
for Consultant Services
Year 3

The 1978 Surface Transportation Act enacted by Congress requires that all bridges, including "off Federal Aid System" structures, must be included in the bi-annual inspection program.

Supplementary Bridge Inspection Reports are required on sixty-two (62) structures in the City of Roanoke this year. The inspection of one (1) parking structure is also required this year.

On June 7, 1999, City Council authorized Agreements for Consultant Services for 3 years with Hayes, Seay, Mattern & Mattern, Inc., and Mattern & Craig, Inc. to conduct the above inspection services for that period which includes FY 2001-2002.

City Council approval is requested to authorize the execution of amendments to the above Agreements for Consultant Inspection Services for 2001 as follows:

Agreement with Hayes, Seay, Mattern & Mattern, Inc.

2001 Bridge Inspection:
\$ 55,000

30 Bridges

1 Tunnel (Underpass)

Agreement with Mattern & Craig, Inc.

2001 Bridge Inspection: 67,900
32 Bridges

Century Station Parking Garage

Total **\$122,900**

The Honorable Mayor and Members of Council
July 2, 2001
Page 2

Funding is available as follows:

Bridge Inspections, account no. 001-530-4310-3072	\$117,200
Century Station Parking Garage, account no. 007-540-8200-2050	<u>5,700</u>

Total **\$122,900**

Recommended Action:

Authorize the City Manager to execute Amendment No. 2 to each of the Agreements for Consultant Services with Hayes, Seay, Mattern & Mattern, Inc. and Mattern & Craig, Inc. in the amounts of \$55,000 and \$67,900 respectively, for the inspection services set forth above.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/JGB/na

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance

CM01-00099

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the City Manager's issuance of Amendment No. 2 to the City's contract with Hayes, Seay, Mattern & Mattern, Inc., for additional engineering services for the inspections of 30 bridges and 1 tunnel (underpass).

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City Manager is authorized to execute for and on behalf of the City, upon form approved by the City Attorney, Amendment No. 2 to the City's contract with Hayes, Seay, Mattern & Mattern, Inc., for additional engineering services for the inspections of 30 bridges and 1 tunnel (underpass), all as more fully set forth in the letter to this Council dated July 2, 2001.

2. The Amendment No. 2 will provide authorization for additions in the work with an increase in the amount of \$55,000.00 to the contract, all as set forth in the above letter.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the City Manager's issuance of Amendment No. 2 to the City's contract with Mattern & Craig, Inc., for additional engineering services for the inspections of 32 bridges, and the Century Station Parking Garage.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City Manager is authorized to execute for and on behalf of the City, upon form approved by the City Attorney, Amendment No. 2 to the City's contract with Mattern & Craig, Inc., for additional engineering services for the inspections of 32 bridges, and the Century Station Parking Garage, all as more fully set forth in the letter to this Council dated July 2, 2001.

2. The Amendment No. 2 will provide authorization for additions in the work with an increase in the amount of \$67,900.00 to the contract, all as set forth in the above letter.

ATTEST:

City Clerk.

July 2, 2001

The Honorable Ralph K. Smith, Mayor
The Honorable William H. Carder, Vice Mayor
The Honorable William D. Bestpitch, Council Member
The Honorable C. Nelson Harris, Council Member
The Honorable W. Alvin Hudson, Jr., Council Member
The Honorable William White, Sr., Council Member
The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

As the City issues general obligation bonds throughout the years, portions of the funding derived from bond issues are allocated to neighborhood storm drain projects. In recent bond issues, funding has been dedicated to storm drains as follows:

\$	\$7,600,000 from the bond issue Series 1992A
\$	\$1,600,000 from the bond issue Series 1996A
C	\$315,000 from the bond issue Series 1997A
C	\$2,285,000 from the bond Series 1999A

As public input is obtained about the highest priority projects, funding from the bond issues is allocated to specific projects. As arrangements can be made to proceed with such projects, the funds are appropriated and projects are undertaken.

In order to meet the goal of fully utilizing some of the bond funding from our older bond issues, we recommend that bond funding be shifted between some of the storm drain projects by bond issue. This will not change the funding to any of the projects in total, nor will it change the total storm drain project funding to be undertaken by the City. The change facilitates record keeping requirements, and it has a positive impact on our arbitrage rebate requirements as it pertains to the oldest bond issue.

The specific projects and funding involved is listed on the following page.

Project
Peters Creek Land Acquisition
Storm Water Model Maintenance
Forest Park Drainage Project
Miscellaneous Storm Drains Phase 2
Garden City Phase 3
Miscellaneous Drainage Projects
Summit Hills Drainage Project
TOTAL

We recommend City Council approval of this transfer of storm drain funding between 1992, 1996, and 1999 bond issues. Council's adoption of the accompanying budget ordinance and resolution are recommended.

Sincerely,

James D. Grisso
Director of Finance

JDG/JSY:s

c: Darlene Burcham, City Manager
William M. Hackworth, City Attorney
Phil Schirmer, City Engineer
David C. Anderson, City Treasurer
Jesse A. Hall, Deputy Director of Finance
Barry L. Key, Director, Department of Management and Budget
Alicia F. Stone, Budget Administrator
Mary F. Parker, City Clerk

July 2, 2001

The Honorable Ralph K. Smith, Mayor
The Honorable William H. Carder, Vice-Mayor
The Honorable William D. Bestpitch, Council Member
The Honorable C. Nelson Harris, Council Member
The Honorable W. Alvin Hudson, Jr., Council Member
The Honorable William White, Sr., Council Member
The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

May Financial Report

This financial report covers the first eleven months of the 2000-2001 fiscal year. The following narrative discusses revenues and expenditures to date.

REVENUE

General Fund revenues reflect an increase of 1.47% or \$2,406,000 compared to FY00. Variances in specific categories of revenues are as follows:

General Property Taxes declined .34% or \$224,000. Real estate tax revenues through the end of May have increased 4.46% over the same period in the prior fiscal year, and have met the targeted revenue estimate. Personal property tax revenue included in this category has decreased from FY00, due to the increased portion of personal property tax funded by the Commonwealth of Virginia. Personal property tax revenue funded by the Commonwealth is reflected in the Grants- in-Aid Commonwealth category. Total personal property assessments, including the state share, has increased 2.3% or \$529,000, exceeding the revenue estimate. Penalties and interest on delinquent taxes have increased, reflecting the results of improved collections during the current fiscal year.

Other Local Taxes rose 4.69% or \$2,280,000. Business and professional occupational license tax is up 10% from the prior year and has exceeded the budgeted amount. This

growth is due to increased assessments and an accelerated schedule of billing in FY 2001 for delinquent taxes. Sales tax is slightly below May of FY 2000 and continues to lag projections due to continued regional competition and the slow down of the economy. Gas utility consumer tax revenue rose due to increased consumption. There has been an increase in the Right-of-Way use fee. Cellular phone tax is up due to the rising number of cell phone subscribers.

Fines and Forfeitures are below prior year collections by 9.96% or \$90,000. The decline is due to decreased collections of General District Court fines. This decrease is partially offset by an increase in parking ticket revenue.

Revenue from Use of Money and Property declined 10.40% or \$104,000. The State is billed for use of the Commonwealth Building monthly based on estimated operating and maintenance costs. In August of FY00, the State was billed for the amount that actual costs exceeded estimated costs, producing significantly higher revenue in FY00. No additional amounts were billed in FY01. This decrease is partially offset by an increase in interest income resulting from higher average daily cash balances in the General Fund.

Grants-in-Aid Federal increased \$8,600 or 33.59% due to a timing difference in the receipt of FEMA revenue.

Charges for Services rose \$216,000 or 7.20% due to an increase in weed cutting and demolitions billings. These revenues were down in FY2000, compared to historical performance.

EXPENDITURES AND ENCUMBRANCES

General fund expenditures and encumbrances have increased 6.17% or \$10,002,000 since FY00. Variances in individual expenditure categories are discussed as follows:

Judicial Administration expenditures are up \$926,000 or 22.06%. Juvenile and Domestic Relations Court Services costs to house children detained by the courts have increased from the prior year. Since June 2000, these children have been housed at the Roanoke Valley Detention Center instead of the City-operated detention home. Expenditures of the City-operated juvenile detention home were reported under the Public Safety category in prior years. Personal services costs of the Circuit Court have also increased due to additional law clerk positions in FY01.

Public Works expenditures rose 8.62% or \$1,780,000. The amount of the annual paving contract has increased due to the inclusion of additional paving projects. Personal services

costs of the Street Maintenance department are up. Expenditures of the Building Maintenance department increased due to costs associated with the Library renovation project. These increases are partially offset by a decline in personal services costs of the Parks and Grounds maintenance department due to vacancies in salaried and temporary positions.

Community Development expenditures have gone up 22.85% or \$706,000. Expenditure increases have occurred across- the-board in the Department of Planning and Code Enforcement related to its recent re-organization and activities associated with the Comprehensive Plan. The Department of Economic Development has incurred additional costs related to the opening of a new office at an off-site location. Memberships and Affiliations expenditures also increased mainly due to a capital contribution paid to Center in the Square.

Transfer to Debt Service Fund is up \$1,679,000 or 16.10% on a year-to-date basis due to the required payment on the Series 1999 General Obligation Bonds. This was partially offset by decreased principal payments on the Series 1994 and 1997B General Obligation Bonds.

Transfer to School Fund is up 6.16% or \$2,468,000 as a result of the 3.5% increase in local funding of the schools and the appropriation of the \$1,558,691 in CMERP funds allocated to the schools.

Nondepartmental expenditures increased 28.82% or \$2,085,000. Transfers to the Capital Projects Fund increased due to transfers of funding for Greater Gainsboro property acquisition, infrastructure and parking garage. Funds were also transferred for property acquisition related to the RAILSIDE Linear Park, the new police building and various other capital projects. Transfers to the Department of Technology increased to fund priority CMERP projects and equipment needs.

I would be pleased to answer questions which City Council may have regarding the monthly financial statements.

Director of Finance

JDG/tht
Attachments

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Grant Fund Appropriations.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 Grant Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Community Development Block Grant	\$12,901,420
Community Development Block Grant FY02 (1-74)	2,409,704
Community Development Block Grant FY01 (75-79)	2,837,268
Community Development Block Grant FY00 (80-82)	3,323,197
Community Development Block Grant FY99 (83-84)	3,197,520
Community Development Block Grant FY98 (85-86)	4,16,942
Community Development Block Grant FY97 (87-88)	260,257
Community Development Block Grant FY96 (89-90)	177,000
Community Development Block Grant FY95 (91-92)	279,532

Revenues

Community Development Block Grant	\$12,901,420
Community Development Block Grant FY 02 (93-104)	2,409,704

1)	Critical Assistance for the Elderly Support	(035-G02-0210-5002)	\$ 10,250
2)	Consolidated Rehab Program Support - UDAG	(035-G02-0210-5030)	73,333
3)	RRHA General Administration	(035-G02-0210-5035)	20,000
4)	Consolidated Rehab Program Support - CDBG	(035-G02-0210-5042)	35,317
5)	Quick Response to Emergencies Support	(035-G02-0210-5076)	4,100
6)	Washington Park Support	(035-G02-0210-5282)	82,000
7)	Critical Assistance for the Elderly	(035-G02-0220-5003)	90,000
8)	Empowering Individuals With Disabilities	(035-G02-0220-5057)	40,000
9)	Demolition	(035-G02-0220-5108)	90,000
10)	Consolidated Loan Program Part 1	(035-G02-0220-5112)	25,000
11)	Quick Response to Emergencies	(035-G02-0220-5203)	45,000
12)	BRHDC / Habitat for Humanity	(035-G02-0220-5071)	50,000
13)	Connect Four - BRHDC	(035-G02-0220-5354)	150,304
14)	Regular Employee Salaries	(035-G02-0222-1002)	112,854
15)	City Retirement	(035-G02-0222-1105)	5,559
16)	ICMA Retirement	(035-G02-0222-1115)	2,151
17)	ICMA Match	(035-G02-0222-1116)	2,600
18)	FICA	(035-G02-0222-1120)	8,633
19)	Medical Insurance	(035-G02-0222-1125)	10,080
20)	Dental Insurance	(035-G02-0222-1126)	808
21)	Life Insurance	(035-G02-0222-1130)	903
22)	Disability Insurance	(035-G02-0222-1131)	406
23)	Advertising	(035-G02-0222-2015)	750
24)	Telephone	(035-G02-0222-2020)	4,200
25)	Telephone - Cellular	(035-G02-0222-2021)	2,050
26)	Administrative Supplies	(035-G02-0222-2030)	3,000
27)	Expendable		

	E q u i p m e n t (<\$5,000)	(035-G02-0222-2035)	5,500
28)	Motor Fuels and Lubricants	(035-G02-0222-2038)	400
29)	D u e s a n d Memberships	(035-G02-0222-2042)	1,000
30)	T r a i n i n g a n d Development	(035-G02-0222-2044)	2,500
31)	Printing	(035-G02-0222-2075)	2,116
32)	Postage	(035-G02-0222-2160)	5,700
33)	Materials Control	(035-G02-0222-7010)	150
34)	M a n a g e m e n t Services	(035-G02-0222-7015)	1,000
35)	C a r I n s u r a n c e Premiums	(035-G02-0222-7018)	1,100
36)	Fleet Management	(035-G02-0222-7025)	2,500
37)	Fleet Rental	(035-G02-0222-7027)	4,040
38)	S m a l l B u s i n e s s Development Center/CBDI	(035-G02-0230-5021)	125,000
39)	G r e a t e r G a i n s b o r o Development Project	(035-G02-0230-5286)	\$ 399,281
40)	Temporary Wages	(035-G02-0232-1004)	25,000
41)	FICA	(035-G02-0232-1120)	2,000
42)	Special Projects	(035-G02-0232-2034)	3,000
43)	Melrose/Rugby	(035-G02-0237-5249)	500
44)	Loudon/Melrose	(035-G02-0237-5257)	2,000
45)	Washington Park Neighborhood Alliance	(035-G02-0237-5258)	1,694
46)	G a i n s b o r o Southwest	(035-G02-0237-5259)	1,445
47)	Edgewood/Morwan da/ Summit Hills	(035-G02-0237-5355)	1,500
48)	N o r w i c h Neighborhood Alliance	(035-G02-0237-5356)	2,000
49)	Southeast Action Forum	(035-G02-0237-5357)	1,500
50)	Loudon/Melrose	(035-G02-0237-5245)	10,000
51)	Melrose/Rugby Neighborhood Forum	(035-G02-0237-5249)	2,500
52)	NNEO	(035-G02-0237-5358)	10,000
53)	N o r w i c h Neighborhood Alliance	(035-G02-0237-5359)	10,000

54)	Washington Park Neighborhood Alliance	(035-G02-0237-5360)	10,000
55)	Neighborhood Development Grant-Lead Base Paint Reserve	(035-G02-0237-5361)	1,861
56)	Lincoln 2000 Infrastructure	(035-G02-0237-5296)	265,000
57)	McCray Court Senior Complex	(035-G02-0237-5297)	277,750
58)	Empowering Individuals with Disabilities	(035-G02-0238-5057)	14,000
59)	TAP This Valley Works	(035-G02-0238-5067)	26,000
60)	Mental Health Counseling	(035-G02-0238-5074)	21,000
61)	Apple Ridge Farms	(035-G02-0238-5084)	26,000
62)	YMCA Learning Center	(035-G02-0238-5152)	23,000
63)	Emergency Assistance Fund	(035-G02-0238-5158)	35,000
64)	West End Center	(035-G02-0238-5160)	27,000
65)	YMCA Magic Place at Hurt Park	(035-G02-0238-5169)	21,727
66)	Resource Mothers	(035-G02-0238-5222)	28,000
67)	Business Training Initiative	(035-G02-0238-5263)	43,000
68)	Girl Scout Outreach Program	(035-G02-0238-5269)	\$ 14,000
69)	YWCA Youth Club	(035-G02-0238-5350)	19,000
70)	CHIP Family Strengthening and Support	(035-G02-0238-5299)	12,000
71)	Violence Prevention - Boys and Girls Club	(035-G02-0238-5362)	13,642
72)	Action Family Resource Center	(035-G02-0238-5363)	16,000
73)	Food Distribution Program	(035-G02-0238-5364)	9,000
74)	Mediating for Well- Being of Children	(035-G02-0238-5365)	14,000
75)	Hotel Roanoke 108 Loan Repayment	(035-G01-0140-5135)	357,657
76)	Unprogrammed CDBG - Section 108 Loan	(035-G01-0140-5188)	(260,728)

77)	Unprogrammed CDBG - Other	(035-G01-0140-5189)	(73,395)
78)	Unprogrammed CDBG - RRHA	(035-G01-0140-5197)	(120,253)
79)	Greater Gainsboro Development Project	(035-G01-0140-5286)	96,719
80)	Hotel Roanoke 108 Loan Repayment	(035-G00-0040-5135)	125,183
81)	Unprogrammed CDBG - Carryover Funds	(035-G00-0040-5184)	(79,964)
82)	Unprogrammed CDBG - RRHA	(035-G00-0040-5197)	(45,219)
83)	Hotel Roanoke 108 Loan Repayment	(035-099-9940-5135)	7,544
84)	Unprogrammed CDBG – Carryover Funds	(035-099-9940-5184)	(7,544)
85)	Hotel Roanoke 108 Loan Repayment	(035-098-9841-5135)	2,617
86)	Unprogrammed CDBG - Carryover Funds	(035-098-9841-5184)	(2,617)
87)	Hotel Roanoke 108 Loan Repayment	(035-097-9741-5135)	15,980
88)	Unprogrammed CDBG – Carryover Funds	(035-097-9741-5184)	(15,980)
89)	Hotel Roanoke 108 Loan Repayment	(035-095-9541-5135)	47,148

90)	Unprogrammed CDBG – Carryover Funds	(035-095-9541-5184)	\$(47,148)
91)	Hotel Roanoke 108 Loan Repayment	(035-094-9441-5135)	2,152
92)	Unprogrammed CDBG – Carryover funds	(035-094-9441-5184)	(2,152)
93)	CDBG Entitlement	(035-G02-0200-2201)	2,239,000
94)	Other Program Income - RRHA	(035-G02-0200-2203)	24,989
95)	Cooper Industries	(035-G02-0200-2206)	13,333
96)	Parking Lot Income - Williamson Road	(035-G02-0200-2207)	60,000
97)	Sands Woody Loan Repayment	(035-G02-0200-2217)	6,722
98)	SRO Loan to TAP	(035-G02-0200-2220)	5,618
99)	Homeownership Assistance	(035-G02-0200-2222)	10,000
100)	Lagniappe Loan Repayment	(035-G02-0200-2231)	7,620
101)	KDL Investments Loan Repayment	(035-G02-0200-2232)	9,964
102)	D o w n t o w n Associates	(035-G02-0200-2233)	1,758
103)	Hotel Roanoke Loan Repayment	(035-G02-0200-2234)	20,700
104)	Rental Rehab Repayment	(035-G02-0200-2240)	10,000

BE IT FURTHER ORDAINED that this Ordinance shall be in full effect
from its

passage.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter.

WHEREAS, Richard A. Dearing filed an application to the Council of the City of Roanoke, Virginia, in accordance with law, requesting the Council to permanently vacate, discontinue and close the public right-of-way described hereinafter; and

WHEREAS, the City Planning Commission, after giving proper notice to all concerned as required by ' 30-14, Code of the City of Roanoke (1979), as amended, and after having conducted a public hearing on the matter, has made its recommendation to Council; and

WHEREAS, a public hearing was held on said application by the City Council on June 18, 2001, after due and timely notice thereof as required by ' 30-14, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were afforded an opportunity to be heard on said application; and

WHEREAS, it appearing from the foregoing that the land proprietors affected by the requested closing of the subject public right-of-way have been properly notified; and

WHEREAS, from all of the foregoing, the Council considers that no inconvenience will result to any individual or to the public from permanently vacating, discontinuing and closing said public right-of-

way.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke, Virginia, that the public right-of-way situate in the City of Roanoke, Virginia, and more particularly described as follows:

That certain approximate 12' x 103' alley bounded by Official Tax Nos. 1052401 and 1052404, and entering from the 2400 Blocks of Crystal Spring and Richelieu Avenues, S.W.,

be, and is hereby permanently vacated, discontinued and closed, and that all right and interest of the public in and to the same be, and hereby is, released insofar as the Council of the City of Roanoke is empowered so to do with respect to the closed portion of the right-of-way, reserving however, to the City of Roanoke and any utility company, including, specifically, without limitation, providers to or for the public of cable television, electricity, natural gas or telephone service, an easement for sewer and water mains, television cable, electric wires, gas lines, telephone lines, and related facilities that may now be located in or across said public right-of-way, together with the right of ingress and egress for the maintenance or replacement of such lines, mains or utilities, such right to include the right to remove, without the payment of compensation or damages of any kind to the owner, any landscaping, fences, shrubbery, structure or any other encroachments on or over the easement which impede access for maintenance or replacement purposes at the time such work is undertaken; such easement or easements to terminate upon the later abandonment of use or permanent removal from the above-described public right-of-way of any such municipal installation or other utility or facility by the owner thereof.

BE IT FURTHER ORDAINED that the applicant shall submit to the Subdivision Agent, receive all required approvals of, and record with the Clerk of the Circuit Court for the City of Roanoke, a subdivision plat, with said plat combining all properties which would otherwise be landlocked by the requested closure, or otherwise disposing of the land within

the right-of-way to be vacated in a manner consistent with law, and retaining appropriate easements, together with the right of ingress and egress over the same, for the installation and maintenance of any and all existing utilities that may be located within the right-of-way.

BE IT FURTHER ORDAINED that the applicant shall, upon meeting all other conditions to the granting of the application, deliver to the Clerk of the Circuit Court of the City of Roanoke, Virginia, a certified copy of this ordinance for recordation where deeds are recorded in said Clerk's Office, indexing the same in the name of the City of Roanoke, Virginia, as Grantor, and in the name of the Petitioner, and the names of any other parties in interest who may so request, as Grantees, and pay such fees and charges as are required by the Clerk to effect such recordation.

BE IT FURTHER ORDAINED that the applicant shall, upon a certified copy of this ordinance being recorded by the Clerk of the Circuit Court of the City of Roanoke, Virginia, where deeds are recorded in said Clerk's Office, file with the City Engineer for the City of Roanoke, Virginia, the Clerk's receipt, demonstrating that such recordation has occurred.

BE IT FINALLY ORDAINED that if the above conditions have not been met within a period of twelve (12) months from the date of the adoption of this ordinance, then said ordinance shall be null and void with no further action by City Council being necessary.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter.

WHEREAS, Shenandoah Crossings, L.P., filed an application to the Council of the City of Roanoke, Virginia, in accordance with law, requesting the Council to permanently vacate, discontinue and close the public right-of-way described hereinafter; and

WHEREAS, the City Planning Commission, after giving proper notice to all concerned as required by ' 30-14, Code of the City of Roanoke (1979), as amended, and after having conducted a public hearing on the matter, has made its recommendation to Council; and

WHEREAS, a public hearing was held on said application by the City Council on June 18, 2001, after due and timely notice thereof as required by ' 30-14, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were afforded an opportunity to be heard on said application; and

WHEREAS, it appearing from the foregoing that the land proprietors affected by the requested closing of the subject public right-of-way have been properly notified; and

WHEREAS, from all of the foregoing, the Council considers that no inconvenience will result to any individual or to the public from permanently vacating, discontinuing and closing said public right-of-

way.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke, Virginia, that the public right-of-way situate in the City of Roanoke, Virginia, and more particularly described as follows:

That certain 15' wide alley lying between former Lots 9 and 10, Block 12, Map of Official Survey Sheet NW1 on the west, and former Lot 11, Block 12, Map of Official Survey Sheet NW1 on the east, extending from Shenandoah Avenue, N.W. (at a point 60 feet west of Jefferson Street, N.W.) northward for a distance of 187.9 feet to Centre Avenue,

be, and is hereby permanently vacated, discontinued and closed, and that all right and interest of the public in and to the same be, and hereby is, released insofar as the Council of the City of Roanoke is empowered so to do with respect to the closed portion of the right-of-way, reserving however, to the City of Roanoke and any utility company, including, specifically, without limitation, providers to or for the public of cable television, electricity, natural gas or telephone service, an easement for sewer and water mains, television cable, electric wires, gas lines, telephone lines, and related facilities that may now be located in or across said public right-of-way, together with the right of ingress and egress for the maintenance or replacement of such lines, mains or utilities, such right to include the right to remove, without the payment of compensation or damages of any kind to the owner, any landscaping, fences, shrubbery, structure or any other encroachments on or over the easement which impede access for maintenance or replacement purposes at the time such work is undertaken; such easement or easements to terminate upon the later abandonment of use or permanent removal from the above-described public right-of-way of any such municipal installation or other utility or facility by the owner thereof.

BE IT FURTHER ORDAINED that the applicant shall submit to the Subdivision Agent, receive all required approvals of, and record with the Clerk of the Circuit Court for the City of Roanoke, a subdivision plat, with said plat combining all properties which would

otherwise be landlocked by the requested closure, or otherwise disposing of the land within the right-of-way to be vacated in a manner consistent with law, and retaining appropriate easements, together with the right of ingress and egress over the same, for the installation and maintenance of any and all existing utilities that may be located within the right-of-way.

BE IT FURTHER ORDAINED that the applicant shall, upon meeting all other conditions to the granting of the application, deliver to the Clerk of the Circuit Court of the City of Roanoke, Virginia, a certified copy of this ordinance for recordation where deeds are recorded in said Clerk's Office, indexing the same in the name of the City of Roanoke, Virginia, as Grantor, and in the name of the Petitioner, and the names of any other parties in interest who may so request, as Grantees, and pay such fees and charges as are required by the Clerk to effect such recordation.

BE IT FURTHER ORDAINED that the applicant shall, upon a certified copy of this ordinance being recorded by the Clerk of the Circuit Court of the City of Roanoke, Virginia, where deeds are recorded in said Clerk's Office, file with the City Engineer for the City of Roanoke, Virginia, the Clerk's receipt, demonstrating that such recordation has occurred.

BE IT FINALLY ORDAINED that if the above conditions have not been met within a period of twelve (12) months from the date of the adoption of this ordinance, then said ordinance shall be null and void with no further action by City Council being necessary.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE to amend ' 36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 242, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant.

WHEREAS, Melrose Properties, L.L.C., has made application to the Council of the City of Roanoke to have the hereinafter described property rezoned from C-2, General Commercial District, to IPUD, Industrial Planned Unit Development District, subject to certain conditions proffered by the applicant; and

WHEREAS, the City Planning Commission, which after giving proper notice to all concerned as required by ' 36.1-693, Code of the City of Roanoke (1979), as amended, and after conducting a public hearing on the matter, has made its recommendation to Council; and

WHEREAS, a public hearing was held by City Council on said application at its meeting on June 18, 2001, after due and timely notice thereof as required by ' 36.1-693, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were given an opportunity to be heard, both for and against the proposed rezoning; and

WHEREAS, this Council, after considering the aforesaid application, the recommendation made to the Council by the Planning Commission, the City's Comprehensive Plan, and the matters presented at the public hearing, is of the opinion that the hereinafter described property should be rezoned as herein provided.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that ' 36.1-3, Code of the

City of Roanoke (1979), as amended, and Sheet No. 242 of the Sectional 1976 Zone Map, City of Roanoke, be amended in the following particular and no other:

That tract of land containing 10.325-acres, more or less, lying on the south side of Melrose Avenue, N.W., and west side of Twenty-fourth Street, N.W., commonly known as the W. B. Clements, Incorporated, property, and designated on Sheet No. 242 of the Sectional 1976 Zone Map, City of Roanoke, as Official Tax No. 2420205, be, and is hereby rezoned from C-2, General Commercial District, to IPUD, Industrial Planned Unit Development District, subject to the proffers contained in the First Amended Petition filed in the Office of the City Clerk on May 17, 2001, and that Sheet No. 242 of the Zone Map be changed in this respect.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE providing for the fee simple conveyance of two small tracts of City-owned property located at the Roanoke Centre for Industry and Technology, adjacent to Tracts A, B and F, to the Blue Hills Golf Corporation (containing approximately 14,000 sq. ft.), and to Anderson Wade Douthat, *et al.* (containing approximately 12,000 sq. ft.), upon certain terms and conditions.

WHEREAS, a public hearing was held on June 18, 2001, pursuant to ' ' 15.2-1800(B) and 1813, Code of Virginia (1950), as amended, at which hearing all parties in interest and citizens were afforded an opportunity to be heard on said conveyance.

BE IT ORDAINED by the Council of the City of Roanoke that:

1. The appropriate City officials are authorized to take the necessary action to convey two small tracts of City-owned property located at the Roanoke Centre for Industry and Technology, adjacent to Tracts A, B and F, to the Blue Hills Golf Corporation (containing approximately 14,000 sq. ft.), and to Anderson Wade Douthat, *et al.* (containing approximately 12,000 sq. ft.), at the sole cost of the Grantees, and upon the terms and conditions set forth in the City Manager's letter to this Council dated June 18, 2001.

2. All documents necessary for this conveyance shall be upon form approved by the City

Attorney.

3. The Restrictive Covenants shall remain undisturbed on these tracts of land and survive any agreement between the City and Grantees.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter.

WHEREAS, the City of Roanoke filed an application to the Council of the City of Roanoke, Virginia, in accordance with law, requesting the Council to permanently vacate, discontinue and close the public right-of-way described hereinafter; and

WHEREAS, the City Planning Commission, after giving proper notice to all concerned as required by ' 30-14, Code of the City of Roanoke (1979), as amended, and after having conducted a public hearing on the matter, has made its recommendation to Council; and

WHEREAS, a public hearing was held on said application by the City Council on June 18, 2001, after due and timely notice thereof as required by ' 30-14, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were afforded an opportunity to be heard on said application; and

WHEREAS, it appearing from the foregoing that the land proprietors affected by the requested closing of the subject public right-of-way have been properly notified; and

WHEREAS, from all of the foregoing, the Council considers that no inconvenience will result to any individual or to the public from permanently vacating, discontinuing and closing said public right-of-

way.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke, Virginia, that the public right-of-way situate in the City of Roanoke, Virginia, and more particularly described as follows:

That certain eighteen foot (18') public right-of-way which crosses Official Tax No. 4010213, between Norfolk Avenue, S.E., and Official Tax No. 4010209,

be, and is hereby permanently vacated, discontinued and closed, and that all right and interest of the public in and to the same be, and hereby is, released insofar as the Council of the City of Roanoke is empowered so to do with respect to the closed portion of the right-of-way, reserving however, to the City of Roanoke and any utility company, including, specifically, without limitation, providers to or for the public of cable television, electricity, natural gas or telephone service, an easement for sewer and water mains, television cable, electric wires, gas lines, telephone lines, and related facilities that may now be located in or across said public right-of-way, together with the right of ingress and egress for the maintenance or replacement of such lines, mains or utilities, such right to include the right to remove, without the payment of compensation or damages of any kind to the owner, any landscaping, fences, shrubbery, structure or any other encroachments on or over the easement which impede access for maintenance or replacement purposes at the time such work is undertaken; such easement or easements to terminate upon the later abandonment of use or permanent removal from the above-described public right-of-way of any such municipal installation or other utility or facility by the owner thereof.

BE IT FURTHER ORDAINED that the applicant shall submit to the Subdivision Agent, receive all required approvals of, and record with the Clerk of the Circuit Court for the City of Roanoke, a subdivision plat, with said plat combining all properties which would otherwise be landlocked by the requested closure, or otherwise disposing of the land within

the right-of-way to be vacated in a manner consistent with law, and retaining appropriate easements, together with the right of ingress and egress over the same, for the installation and maintenance of any and all existing utilities that may be located within the right-of-way.

BE IT FURTHER ORDAINED that the applicant shall, upon meeting all other conditions to the granting of the application, deliver to the Clerk of the Circuit Court of the City of Roanoke, Virginia, a certified copy of this ordinance for recordation where deeds are recorded in said Clerk's Office, indexing the same in the name of the City of Roanoke, Virginia, as Grantor, and in the name of the Petitioner, and the names of any other parties in interest who may so request, as Grantees, and pay such fees and charges as are required by the Clerk to effect such recordation.

BE IT FURTHER ORDAINED that the applicant shall, upon a certified copy of this ordinance being recorded by the Clerk of the Circuit Court of the City of Roanoke, Virginia, where deeds are recorded in said Clerk's Office, file with the City Engineer for the City of Roanoke, Virginia, the Clerk's receipt, demonstrating that such recordation has occurred.

BE IT FINALLY ORDAINED that if the above conditions have not been met within a period of twelve (12) months from the date of the adoption of this ordinance, then said ordinance shall be null and void with no further action by City Council being necessary.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION establishing a meeting schedule for City Council for the Fiscal Year commencing July 1, 2001, and terminating June 30, 2002.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. This resolution establishes a schedule of regular meetings for City Council for the Fiscal Year commencing July 1, 2001, and terminating June 30, 2002.

2. For such fiscal year, City Council shall hold regular meetings on the first, third and fifth Mondays of each month, at the following times of commencement:

(a) Unless otherwise provided by resolution of Council, each regular meeting on the first Monday in each month shall commence at 12:15 p.m. for the conduct of informal meetings, work sessions or closed meetings. Thereafter Council shall take up the regular agenda at 2:00 p.m. Council may recess between the 12:15 p.m. session and the 2:00 p.m. session.

(b) Unless otherwise provided by resolution of Council, each regular meeting on the third Monday in each month shall commence at 2:00 p.m. for the conduct of regular business. The second meeting of each month shall be recessed upon the completion of all business except the conduct of public hearings, and such meeting shall be reconvened at 7:00 p.m. on the same day for the conduct of public hearings.

(c) Unless otherwise provided by resolution of Council, the meetings of Council held on each fifth Monday of a month shall commence at 12:15 p.m., for the purpose of receiving briefings by the City Manager, reports of Council members serving in liaison capacities on various committees and for planning purposes.

3. When any regularly scheduled Monday meeting shall fall on a holiday of the City, such meeting shall be held on Tuesday next following.

4. All meetings of City Council shall be automatically adjourned at 11:00 p.m., unless a motion

setting a new time for adjournment be made, seconded and unanimously carried.

5. All regular meetings of City Council shall be held in the Council Chambers, Room 450, of the Municipal Building in this City, unless otherwise provided by resolution of Council.

6. City Council may prescribe a day or time other than that established by this resolution or a meeting place other than that established by this resolution by adoption of a resolution establishing a new meeting day, place or time. City Council shall cause a copy of such resolution to be posted adjacent to the door of the Council Chambers and inserted in a newspaper having general circulation in the City at least seven days prior to the date of the meeting at such amended day, time or place

7. This Resolution shall have no application to special meetings of City Council called pursuant to ' 10 of the City Charter.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION providing that the regular meeting of City Council scheduled to be held at 2:00 p.m. and 7:00 p.m., on Monday, October 15, 2001, shall be held at 2:00 p.m. and 7:00 p.m. on Thursday, October 18, 2001.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. Due to the Virginia Municipal League Annual Conference scheduled to be held on October 10 - 16, 2001, in Virginia Beach, Virginia, which a majority of the members of City Council desire to attend, the meeting of City Council regularly scheduled to be held at 2:00 p.m. and 7:00 p.m. on Monday, October 15, 2001, is hereby rescheduled to be held on Thursday, October 18, 2001, at 2:00 p.m. and 7:00 p.m., such meeting to be in the Council Chambers of the Noel C. Taylor Municipal Building, at 215 Church Avenue, S.W.

2. The City Clerk is directed to cause a copy of this resolution to be posted adjacent to the doors of the Council Chambers and inserted in a newspaper having general circulation in the City at least seven days prior to October 18, 2001.

ATTEST:

City Clerk.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***JULY 2, 2001
12:15 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

- 1. Call to Order--Roll Call. Council Members Wyatt and Harris were absent.**

A communication from Mayor Ralph K. Smith requesting that Council convene in Closed Session to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia, (1950), as amended.

(Approved 5-0)

File #110-132

A communication from Council Member C. Nelson Harris, Chair, City Council Personnel Committee, requesting that Council convene in Closed Session to discuss the performance of a Council-Appointed Officer, and compensation for Council-Appointed Officers, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.

(Approved 5-0)

File # 1-132-184

A communication from Council Member C. Nelson Harris, Chair, City Council Personnel Committee, requesting that Council convene in Closed Session to discuss appointment of a new Municipal Auditor, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.

(Approved 5-0)

File #132-280

**THE MEETING WAS DECLARED IN RECESS FOR THREE
CLOSED SESSIONS.**

CERTIFICATION OF CLOSED SESSION. (5-0)

The following persons were reappointed to boards and commissions:

**FLOOD PLAIN COMMITTEE - ONE YEAR TERMS ENDING
JUNE 30, 2002**

Read A. Lansford

Bill Tanger

Edgar V. Wheeler

Dennis Tinsley

Katy S. Hill

Lucian Y. Grove

E. L. Noell

File #110-237

**WAR MEMORIAL COMMITTEE - ONE YEAR TERMS ENDING
JUNE 30, 2002**

**Harold H. Worrell, Sr.
Alfred C. Moore
Sloan H. Hoopes
Robert O. Gray**

File #110-518

**HUMAN SERVICES COMMITTEE - ONE YEAR TERMS ENDING
JUNE 30, 2002**

**Frank W. Feather
Pam Kestner-Chappelear
Margaret C. Thompson
Evelyn F. Board
Cynthia S. Bryant
Glenn D. Radcliffe**

File #15-110-72

**ROANOKE VALLEY CONVENTION AND VISITORS BUREAU -
ONE YEAR TERM ENDING JUNE, 30, 2002**

Sunny Shah

File #110-293

**MILL MOUNTAIN ADVISORY COMMITTEE - ONE YEAR TERMS
ENDING JUNE 30, 2002**

**Richard Clark
William Dandridge
Betty Field
Steven Higgs
Carl Kopitzke
Michael Loveman
E. C. Pace, III
Eddie Wallace**

File #110-67

**SPECIAL EVENTS COMMITTEE - ONE YEAR TERMS ENDING
JUNE 20, 2002**

Dorothy L. Bull	Estelle H. McCadden
David W. Davis, III	Sharon C. Metzler
Gloria Elliott	H. Marie Muddiman
Wanda E. English	Amy W. Peck
Cynthia D. Jennings	Sherley E. Stuart
Sabrina T. Law	Kathy Wilson
Rodney L. Lewis	

File #110-317

**ROANOKE ARTS COMMISSION - THREE YEAR TERMS ENDING
JUNE 30, 2004**

**Robert Humphreys
Mark C. McConnel
Will Trinkle**

File #15-110-230

**ROANOKE PUBLIC LIBRARY BOARD - THREE YEAR TERMS
ENDING JUNE 30, 2004**

**Herbert D. McBride
Brenda L. McDaniel
B. Gayle Graves**

File #15-110-323

**ROANOKE VALLEY GREENWAY COMMISSION
(CITY REPRESENTATIVE) - THREE YEAR TERM ENDING
JUNE 30, 2004**

Brian M. Shepard

File #15-110-379

**PERSONNEL AND EMPLOYMENT PRACTICES COMMISSION
THREE YEAR TERMS ENDING JUNE 30, 2004**

**William C. Holland
Stephen L. Jamison**

File #15-110-202

**Appointed William Skeen to the Board of Trustees, City of Roanoke
Pension Plan, for a term ending June 30, 2005.**

File #15-110-429

**THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED
IN RECESS AT 1:30 P.M., TO BE RECONVENED AT 2:00 P.M., IN
THE CITY COUNCIL CHAMBER.**



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***JULY 2, 2001
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

- 1. Call to Order--Roll Call. Council Members Wyatt and Harris were absent.**

The Invocation was delivered by Frances S. Stebbins, Christian Educator, St. Paul's Episcopal Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, July 5, 2001, at 7:00 p.m., and Saturday, July 7, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT www.roanokegov.com, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

PRESENTATIONS:

A RESOLUTION memorializing the late Lewis Gregory Leftwich, former Building Commissioner for the City of Roanoke.

Adopted Resolution No. 35437-070201. (5-0)

File #367

The Mayor welcomed the newly crowned Miss Virginia, Meghan Shandley, and presented her with a Key to the City.

PUBLIC HEARINGS:

Public hearing with regard to a proposal of the City of Roanoke to convey City-owned property located at 506 Church Avenue, S. W., and the adjoining lot, bearing Official Tax Nos. 1113419 and 1113418, to the YMCA of Roanoke Valley, Inc., upon certain terms and conditions. Darlene L. Burcham, City Manager, Spokesperson.

Adopted Ordinance No. 35438 on first reading (4-0, Council Member Bestpitch abstained from voting.)

File #100-166

2.

CONSENT AGENDA

(APPROVED 5-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meetings of Council held on Monday, October 16, 2000, and Monday, June 18, 2001.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 Qualification of the following persons:

Melinda J. Payne and Ruth C. Willson as Trustees of the Roanoke City School Board for terms commencing July 1, 2001 and ending June 30, 2004;

Frank W. Feather as a member of the Fair Housing Board for a term ending March 31, 2004;

David A. Morgan for a term ending October 31, 2004, and Kenneth King, Jr., for a term ending October 31, 2002, as members of the City of Roanoke Transportation Safety Commission.

File # 467-178-20-316

RECOMMENDED ACTION: Receive and file

- C-3 A communication from the City Manager recommending that she be authorized to file an application with the City Planning Commission to request that property located on Colonial Avenue, S. W., be rezoned from RS-2, Single Family Residential District, to C-1, Office District.

File #51

RECOMMENDED ACTION: Concur in the recommendation to refer the matter to the City Planning Commission for study, report and recommendation to Council.

REGULAR AGENDA

3. HEARING OF CITIZENS UPON PUBLIC MATTERS:

- a. Request to discuss a matter regarding curbside collection of refuse on City streets in residential areas where alleys are available. John H. Kennett, Jr., Spokesperson.

Received and filed.

File #144

Council Member Hudson requested more information on cost savings as a result of the proposed refuse collection program.

4. PETITIONS AND COMMUNICATIONS:

- a. A communication from the Roanoke City School Board requesting approval of a State Literary Fund Loan application for the Roanoke Academy for Mathematics and Science project.

Adopted Resolution Nos. 35439-070201 and 35440-070201. (5-0)
File #60-467

5. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending transfer of funds to other City departments for payment of tipping fees incurred by said departments.

Adopted Ordinance No. 35441-070201. (5-0)
File #60-144-253

2. A communication in connection with appropriation of funds for staff support and contract for services for Regional Disability Services Board Grant funding.

Adopted Ordinance No. 35442-070201 and Resolution No. 35443-070201. (5-0)

File #60-438

3. A communication in connection with an agreement with Harmony Information Systems, Inc., for a CSA computer based network and appropriation of \$100,000.00 in connection therewith.

Adopted Ordinance No. 35444-070201 and Resolution No. 35445-070201. (5-0)

File #60-72-304

4. A communication in connection with a budget amendment to include Arena Ventures revenue and expenses, and authorization for five new positions in the Civic Facilities Fund.

Adopted Ordinance No. 35446-070201. (5-0)

File #60-192

5. A communication in connection with appropriation of \$1,327,629.00 to the Fifth District Employment and Training Consortium.

Adopted Ordinance No. 35447-070201. (5-0)

File #60-246

6. A communication in connection with acceptance of the 2001-02 Community Development Block Grant Program.

Withdrawn by the City Manager.

7. A communication in connection with the Downtown Service District Services Agreement.

Adopted Resolution No. 35448-070201. (5-0)
File #277

8. A communication in connection with leasing a 15 passenger van from Dominion Dodge for eight weeks at \$100.00 per week.

Adopted Resolution No. 35449-070201. (5-0)
File #67-373

9. A communication in connection with Amendment No. 2 to agreements with Hayes, Seay, Mattern & Mattern, Inc., and Mattern and Craig, Inc., in connection with the Bridge Inspection Program.

Adopted Resolution Nos. 35450-070201 and 35451-070201.
(5-0)
File #102-405

b. DIRECTOR OF FINANCE:

1. A report recommending approval of transfer of storm drain funding between 1992, 1996, and 1999 bond issues.

Adopted Ordinance No. 35452-070201 and Resolution No. 35453-070201. (5-0)
File #60-53

2. A financial report for the month of May, 2001.

Received and filed.

6. REPORTS OF COMMITTEES: NONE.

7. UNFINISHED BUSINESS: NONE.

8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Ordinance No. 35406, on second reading, appropriating fiscal year 2001-02 funds for the Community Development Block Grant program from the United States Department of Housing and Urban Development.

**Adopted Ordinance No. 35406-070201 (4-0, Council Member Bestpitch abstained from voting.)
File #60-236**

- b. Ordinance No. 35431, on second reading, vacating, discontinuing and closing a certain public alley extending between Richelieu and Crystal Springs Avenues, S. W.

**Adopted Ordinance No. 35431-070201. (5-0)
File #514**

- c. Ordinance No. 35432, on second reading, vacating, discontinuing and closing an alley extending between Shenandoah and Centre Avenues, N. W., Official Tax No. 2013606.

**Adopted Ordinance No. 35432-070201. (5-0)
File #514**

- d. Ordinance No. 35433, on second reading, rezoning a tract of land located at Melrose Avenue and 24th Street, N. W., Official Tax No. 2420205, from C-2, General Commercial District, to IPUD, Industrial Planned Unit Development District.

Adopted Ordinance No. 35433-070201. (5-0)
File #51

- e. Ordinance No. 35435, on second reading, providing for the conveyance of two tracts of City-owned property located at the Roanoke Centre for Industry and Technology to Blue Hills Golf Corporation and Anderson Wade Douthat, et al.

Adopted Ordinance No. 35435-070201. (5-0)
File #166-207

- f. Ordinance No. 35436, on second reading, permanently vacating, discontinuing and closing a certain alley which crosses Official Tax No. 4010213, between Norfolk Avenue, and Official Tax No. 4010209.

Adopted Ordinance No. 35436-070201. (5-0)
File #514

- g. A resolution establishing a meeting schedule for City Council for the fiscal year commencing July 1, 2001 and terminating June 30, 2002.

Adopted Resolution No. 35454-070201. (5-0)
File #132

- h. A resolution providing that the regular meeting of City Council scheduled to be held at 2:00 p.m. and 7:00 p.m., on Monday, October 15, 2001, shall be held at 2:00 p.m. and 7:00 p.m., on Thursday, October 18, 2001.

Adopted Ordinance No. 35455-070201. (5-0)
File #132-17

9. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

Adopted Ordinance No. 35456-070201 establishing compensation for the City Manager, City Attorney, Director of Finance, City Clerk, Municipal Auditor and Director of Real Estate Valuation for fiscal year 2001-2002. (5-0)

Council Member Bestpitch encouraged citizens to obtain a copy of the draft 2001 Comprehensive Plan for review and comment.

The Mayor advised that July 1 marked his first year as Mayor of the City of Roanoke, and expressed appreciation for the support he has received during his first year in office.

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

The Members of Council welcomed the return of Ms. Evelyn D. Bethel to the City Council meeting. (Ms. Bethel, an ardent follower of City Council meetings, was ill for an extended period of time.)

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED, WITHOUT OBJECTION, IMMEDIATELY, FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED IN RECESS TO BE RECONVENED ON THURSDAY, JULY 12, 2001, AT 12:00 NOON, FOR THE THIRD LEADERSHIP SUMMIT ON THE

**VIRGINIA DARE CRUISE SHIP, AIRPORT ROAD, MONETA,
VIRGINIA.**